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Government  
Publications



No. 157

N° 157

ISSN 1180-2987

## Legislative Assembly of Ontario

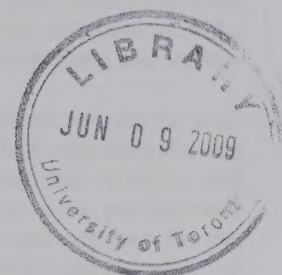
First Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)



Tuesday 2 June 2009

Mardi 2 juin 2009

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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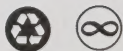
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Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario



## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 2 June 2009

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 2 juin 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the Jewish prayer.

*Prayers.*

### ORDERS OF THE DAY

#### ONTARIO COLLEGE OF TRADES AND APPRENTICESHIP ACT, 2009

#### LOI DE 2009 SUR L'ORDRE DES MÉTIERS DE L'ONTARIO ET L'APPRENTISSAGE

Resuming the debate adjourned on June 1, 2009, on the motion for second reading of Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades / Projet de loi 183, Loi visant à réviser et à moderniser le droit relatif à la formation en apprentissage et aux qualifications professionnelles et à créer l'Ordre des métiers de l'Ontario.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Khalil Ramal:** I'm delighted to be here this morning to enter the debate on Bill 183, the Ontario College of Trades and Apprenticeship Act, in order to modernize the college and trades in the province of Ontario. It's important in this day and age to look after the trades in this province, since we are going to depend on them for many years to come. I heard many speakers before me speak on this subject, and they said many different times that we have a shortage of trades, a shortage of skilled workers who are going to assist us in building this province, building the roads, highways, buildings, plumbing and electrical—many different aspects of trades in Ontario.

For many, many years, people for some reason, psychologically and socially, didn't recognize trades as professions. Parents pushed their kids to be lawyers, to be doctors, nurses, pharmacists, because those jobs back then, and even in the present time, were labelled as respected jobs and attracted more social attraction and had some kind of different respect in the community and among the social structure of our society. Therefore, many different trades were looked at as a second or third level of social ranking of jobs in the province of Ontario.

Therefore, you will notice these days that if you want to call for a plumber, you have to wait maybe one, two,

three or four days. If you want to fix your air conditioner, you have to wait many days. Sometimes it's difficult to find a skilled tradesperson to come serve you fast and quickly. Also, at the same time, they make good, good money.

But the most important thing, I guess, from this bill is to regulate this industry, to elevate this industry, socially and also scientifically, because it's very important to support the tradespeople in Ontario, give them some kind of ranking so people respect them, and also convince the youth among us to go study and be tradesmen and tradeswomen.

Since we've built so many different wonderful colleges and provide a great and excellent education for the people of this province to learn some kind of skills, and since so many people want to learn in a professional manner to be able to deliver goods and services for the people of Ontario, to be able to deliver a good quality of service, I think it's important in this bill to try to elevate the status of trades in the province of Ontario and to try and convince the youth, especially after they finish high school, not just to go to university to study a certain subject and in the end discover that they cannot find a job; to go automatically to college and learn a skill and trade can benefit themselves, benefit their families and benefit their province, cities and towns.

It's important, especially right now when we're facing a very difficult time and a very difficult economic downturn in this province—and not just this province, but Canada, North America and the whole globe. It's important to bring our youth, to bring our people, to give them some kind of trade and some kind of skills that they can carry on for the future. Also, so many people have been working for many different years without any skills in a factory and on an assembly line—they have no professional skills. I think it is the best time for them right now to move on to college, to create a second career for themselves. That's why our government invested heavily in this area, in order to convince many people to obtain some trade.

Also, we hear that people go to many different elements of the trades. Our focus in the establishment of this college is to create some kind of diversity in the trades, to allow people to go in different directions and to educate them about the importance of the different directions and the diverse trades in the marketplace, because some people don't know. If we go to the high schools and campaign and provide some kind of education materials to people about the future jobs that might be in the province of Ontario or in Canada, in our life, then people, at the



beginning, after they finish high school, can go and learn about new trades and obtain a trade with a certificate.

Also, we hear a lot of licensing issues. It's very important, when you hire someone to fix your roof or your plumbing system or your air conditioner, to know that that person is licensed by the government and licensed by a college—college recognition—in order to give you some kind of peace of mind that that person is not a fly-by-night person but is licensed and has a certain education and qualifications that give them the ability to fix your air conditioner—or whatever—in a professional manner.

This is what we're facing in the province of Ontario. We sometimes call people and they don't know what they are doing; they come and mess up our equipment, our houses—and then to take them and sue them is a long process. Therefore, the college would establish standards, and I think those standards would be important for all of us, to give the trade and the college some kind of respect and recognition we are looking for, all of us in the province of Ontario.

I think this college and this licensing issue will help the Minister of Labour a lot. It will produce a lot of skilled workers with a licence recognized by a college that is recognized not just in the province of Ontario but maybe in Canada and maybe worldwide—and also give the people who are looking in this area some kind of expertise and professional ability in order to establish some kind of qualifications and standards. Everybody will benefit from it—not just the person who is getting trained but the people who are receiving the service from that person who received that licence from that college.

It's important for us to continue on that path. I heard many different speakers yesterday who spoke in support. They know the value and the importance of establishing this college. As I mentioned to you, since our population is decreasing, not increasing, and since our population is getting older, I think our duty and obligation is to create more qualified people to enter the job market and also create skilled workers to feed the demand that all of us looking for in the province of Ontario.

In the past, the jobs used to be very simple and not sophisticated. Things used to be built on simple stuff, but these days all the jobs—whether mechanic jobs, plumbing jobs, electrical jobs—are becoming very sophisticated and need a lot of education and qualifications to enter that job. In order to fix any equipment right now, you cannot do it with tools we used to have or with the traditional education we used to have. Right now, if you have a car—most cars are built now with computer chips. If you are not trained enough and you don't have qualifications enough, you cannot fix them. Also, when you go to the plumbing system, now all the plumbing systems are built on some kind of engineering system, a very complex engineering system. If you don't use it efficiently and if you don't know how to fix it in the right way, you might create complications in the plumbing system. Also, if you want to build a house—all the houses are built in an efficient manner to save energy, to

save water and to save electricity. All require specialized people.

**0910**

This college will create some courses and standards and allow all the people who want to go and study to get a licence, to get the qualifications they need in order to enter the market, in order to feed the skilled market in this area with a professional's ability, in order to fix, in order to repair and in order to build whatever they want to do in the province of Ontario.

I'm going to support this bill because it's overdue and I think it's important. When the minister announced it on September 16, I was thrilled and happy to see the province of Ontario going that route to encourage youth to go into a profession that would be respected, would be honoured, would be recognized and would be licensed in Ontario—and that licence can be carried not just throughout the province of Ontario but throughout the nation—and to give them the skill they need. They can carry it wherever they go in the whole globe.

I think our government is taking the right path. I want to congratulate the Minister of Training, Colleges and Universities for consulting and hiring Mr. Kevin Whitaker—he's specialized in the labour movement and labour issues—who created those standards after heavy consultations, and to see what kind of ratio we can apply in the marketplace and how we can deal with the issues in the marketplace in a professional and scientific way.

I hope all the members from both sides of the House support that bill when it comes for a vote, because it's important to put the province on the right path and the right track to create skilled, able workers to feed our futures, to maintain prosperity in this province, and also to rebuild and continue building this province in a professional manner and a scientific way.

Mr. Speaker, thank you for allowing me to speak. I'm looking forward to vote on it and support it. Hopefully it will pass and become law in the province of Ontario.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Norm Miller:** I'm pleased to add comments to the short speech from the member from London—Fanshawe on Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades. Certainly, I can't argue with many of the points that he was making about the value of skilled workers and the need for more skilled workers in the province of Ontario. I think that's probably something all parties support.

I would question why it has taken this government, now in power, six years, so long to deal with this issue, particularly apprenticeship ratios, an issue that the opposition has been raising countless times.

I have to admit that I am a little suspicious of what this bill is all about. We haven't yet had an opportunity to caucus it. Unfortunately, our critic is in the hospital right now. We wish him well and we hope that he's back here soon to provide further advice, but we look forward to having an opportunity to discuss this bill in caucus.



Certainly, if this bill is passed, our party will be watching the implementation of the college and making sure that it's done in a way that's fair to all of those people that are concerned, especially for our young apprentices who are locked out of jobs right now because of the government's stubbornness on apprenticeship ratios.

This is an issue that many members of the PC Party have been raising on a regular basis, and the government keeps giving non-answers to the questions that we do raise. That's what makes me so suspicious that there's another motive to the implementation of this new Ontario College of Trades.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**M<sup>me</sup> France Gélinas:** I listened to the member from London-Fanshawe, and I was interested when he first started his comments, talking about the social ranking of people in trades and saying that parents want their children to become a lawyer or a doctor versus an electrician, plumber, millwright or any other trade. I would say that I'm sure that in some parts of Ontario this holds true. Where I come from in northern Ontario, I can tell you that tradespeople are very highly regarded. I would tend to be a little bit biased towards this: You have to realize that on Friday my daughter graduated as an industrial electrician, so I'm kind of partial to trades. She follows in a long line, my husband also being an industrial electrician, as is her grandfather, my husband's—

**Mr. Gilles Bisson:** So am I.

**M<sup>me</sup> France Gélinas:** And so is the member from Timmins-James Bay.

As I said, tradespeople have an important role to play, and I agree with the member on this one. They are the people who build things, and certainly in an industrial environment like you would find in Sudbury, they are gold. When you need an electrician or a millwright or anybody else and you cannot recruit one, let me tell you that things can be really tough.

There are a number of issues with the bill. Part of it we would certainly support wholeheartedly; part of it leaves us to wonder exactly how it will play out. This is something that I will go into in more detail when I have a little bit more time, but I thank the member for his comments.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Jim Watson:** I thank my colleague from Richmond Hill for allowing me a couple of minutes to comment on the Ontario College of Trades. My colleague Minister Milloy has introduced this legislation. It's very forward-looking, and I think it will bring a certain semblance of order and, really, professionalism to the trades, something that at times we tend to ignore.

I'm very proud of the role that the McGuinty government has taken when it comes to supporting the trades. Just last week, I was in Perth with the federal member of Parliament there, Scott Reid, announcing a \$9-million contribution for a new campus of Algonquin College in

Perth. One of their specialties is heritage masonry and heritage carpentry. We've got to get more young people involved in those skilled trades because more and more people are interested in preserving our built heritage.

About a year ago I was with the Premier in my riding at Algonquin College's Woodroffe Campus, where the Premier announced a \$35-million contribution to the skilled trades building at Algonquin. This will be a state-of-the-art LEED-certified building that is going to allow 600 more students to come and learn skilled trades, right at Algonquin College. My colleague Phil McNeely announced funding from the province for La Cité's skilled trades program.

This is a government that is serious about supporting the skilled trades, putting its money where its mouth is and providing more opportunities for young people to get involved in skilled trades. We hear time and time again that the average age of bricklayers, carpenters and masonry experts is getting older and older. We need more young people involved. It helps the housing industry and it helps to continue the growth in our economy.

I'm very pleased to support this particular piece of legislation, and I urge other members to, for our future and the future of young people.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Reza Moridi:** It's a pleasure to join the discussion on Bill 183. I wish to thank the members from London-Fanshawe, Parry Sound-Muskoka, Nickel Belt and Ottawa West-Nepean for their comments about the bill.

Yesterday, as we were debating this bill, several points came up in the discussion, and one was about the completion rate of apprentices. We all know that the current completion rate of about 50% is not acceptable. I want to bring to the attention of the House that even in our high schools and universities the completion rate is not 100%—not only in Ontario, not only in Canada, but anywhere in the world. Not every student who enters into education completes. There is a certain percentage of students who complete their education, and the same concept applies for apprentices. We cannot anticipate that 100% of registrants are going to complete their education and get licensed at the end.

0920

However, there are certain reasons why 100% of apprentices are not completing their training program. Some of them decide to challenge the exam, some of them decide to change their profession, and there are various other reasons that they don't complete. But this is one of the points why we would like to bring this college of trades bill to the House. Once it is passed, this institution will be there to help organize and help apprentices to complete their training programs so that they will enter into the job market with a licence in their hands.

The other point is that this college of trades is going to raise the self-confidence of our consumers and the public in the—



**The Acting Speaker (Mr. Ted Arnott):** Thank you very much. That concludes questions and comments. The member for London—Fanshawe has two minutes to reply.

**Mr. Khalil Ramal:** I want to thank all the people who spoke and commented, especially the member from Parry Sound—Muskoka. I know he had some kind of concern about why the government has taken so long to implement and pass this bill. I want to say something very important: We have to create some kind of a discussion around it and seek some kind of consultation with experts in that field to create the standards and regulations and also to create the diversity component, in order to see what we need in the province of Ontario and what we have to focus on.

The member from Nickel Belt: Thank you very much for your comments. For some reason, people have it in their mind that if you're a doctor you're better than being a plumber, but as a matter of fact right now a plumber is a very high commodity. You can't find them any time; you have to book them maybe a month in advance in order to find a person to fix your plumbing system—or to finish your garden, whatever you're looking for. All those trades are well needed; and they make good, good money—maybe more than doctors, more than nurses, more even than professors.

I also want to thank the Minister of Municipal Affairs and Housing for his comments outlining our government's commitment to supporting trained and skilled trades in the province of Ontario. I want to tell him also about a success story in London—Fanshawe, at the college. Fanshawe College received a lot of support to create so many different components to train many people who want to train. I want to say that many people go to university and can't find a job—they go back to Fanshawe College. They go to Local 1059, the training skills facility in London, Ontario, to get trained to be bricklayers or to be cement finishers or to operate certain heavy equipment. All the people are coming back to reality. The skills are well needed, well respected—and also they make good money.

I also want to thank the member who was the lead, the PA for the minister, the honourable member from Richmond Hill, for his comments. It's important for all of us to promote that system and also create a wave of youth going into skills and trades in order to—

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much. Further debate on this bill?

**Mr. Norm Miller:** I'm pleased to have an opportunity to speak to Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades. I'm speaking to this bill this morning because unfortunately our critic, Mr. Jim Wilson, the member from Simcoe—Grey, the critic for training, colleges and universities, is in hospital and has been in hospital for a week. I hope he's doing well. Jim, if you are watching this, I hope you're coming around and they're getting you back on the mend so you can come back here and speak to this bill. It would be very much appreciated. I think he's

perking up a bit because I've received a couple of e-mails from him. I think he's in good spirits anyway and I hope his health is being looked after, because that is very important. So I'm filling in for Jim this morning.

I haven't had a great opportunity to look at the bill in detail and we haven't had a chance yet to caucus the bill. Today is caucus day, so I'm sure we will be talking about it further at our caucus, which goes on this afternoon. But I have to say that on the surface I am suspicious about the motivations of why the government is putting this bill forward. That's based on what I've seen in the past six years and also their inaction on aspects that have to do with what this bill is going to deal with, the most obvious being apprenticeship ratios. We've been asking the government over a number of years about apprenticeship ratios. Why is it that the province of Ontario is different than just about every other province in this country? We have an apprenticeship ratio, for example, for an electrician that requires that you must have three licensed journeymen to have one apprentice, and just about anywhere in the country it's one journeyman for one apprentice, which seems to me to make all kinds of sense. It's not rocket science. This government doesn't need to pass this bill to change those apprenticeship ratios; they could do it next week if they so desired. So there's something else going on. They're under pressure from, I suspect, trade unions that for some reason think limiting new people coming into their trades is a good thing. I think they'd have more members if they made it as open as possible.

We've asked numerous questions. Most recently, on April 30, I asked the Minister of Training, Colleges and Universities a question specifically about why they're not addressing this apprenticeship ratio issue. That question came about because of very valid concerns coming from my riding. As I say, we've been asking for a couple of years about why they aren't dealing with this issue.

In February of this year, despite us asking many questions, I received a quick e-mail from Wayne Cormier, a person who is very concerned with stimulating economic activity in the Parry Sound area:

“Subject: Apprenticeship program

“Today I received an inquiry from Bay Area Electrical and Plumbing about what appears to be a real problem with the apprenticeship program. Hopefully, you can help. Presently, it is almost impossible for companies like Bay Area to get licensed plumbers, so they have to train their own. In the case of Bay Area, they have three plumber's licences, but yet can only sign on one apprentice. They were told that they need to have four licences before they can sign up a second apprentice. That doesn't sound right to me when we are desperate for plumbers. Can you help?

“Wayne Cormier.”

A logical point to raise, from somebody who's just interested in helping out the economic activity in the area, and a simple question: Why do you need three electricians to supervise one apprentice? If anything, I think it could reasonably be the opposite. You could probably



have one journeyman, especially if they're trained to supervise apprentices, to have three apprentices, and then we'd have that many more skilled electricians or plumbers down the way. But no, the government is not addressing that issue despite us asking question after question after question. I say, why is that?

Just recently, on April 7, I received a letter signed by Mayor Dale Robinson from the municipality of McDougall, Mayor Richard Adams from the town of Parry Sound, and Mayor David Conn from the township of Seguin, who's a good friend of Gerry Phillips, I might add.

"Dear Mr. Miller:

"The regional economic development strategy is an area development initiative for the municipality of McDougall, the town of Parry Sound and the township of Seguin. As mayors of the three largest municipalities in the west Parry Sound area we all sit on the regional economic development advisory committee (REDAC), which is responsible for implementing this strategy. Recently, some local businesses from the area have expressed concern to us regarding apprenticeship ratios.

"It has come to our attention that to obtain a second apprentice in a business in some trades you may need at least three licensed journeypeople. We feel that due to the current shortage of the skilled trades workforce in our area a review of these requirements is necessary. In smaller communities such as ours, it is often difficult to have one licensed journeyman in a business, let alone three. These ratios are currently putting a halt to the growth of our trades industry because businesses can often only take on one apprentice and therefore eager apprentices are out of work and become discouraged and frustrated. It is our opinion that the apprenticeship ratios should be changed to one apprentice to one journeyman.

"We hope that you will bring our concerns forward at the provincial level and that you offer some suggestions for next steps that we could take to ensure the proper economic growth is taking place in the trades training industry in our municipalities."

0930

These are very valid concerns being brought forward by people who don't know the nitty-gritty of the rules but just know there's some reason why we aren't providing opportunity for apprentices to develop skills.

In response to the question I asked on April 30, the minister was bragging about how many new entrants they have into the trades area and how registrations are up. Well, that's great except that, as the member from Hamilton East-Stoney Creek pointed out yesterday, the completion rate is one of the worst in Canada. So they may have lots of entrants—I know that I used the 48% figure as being the numbers that complete, which is the worst in Canada, and the figure that Paul Miller used was even less than that, a poorer completion rate than that.

We have what seem to be simple problems, and we're not getting a response from this government. It has been in power six years, and they're not dealing with this

problem. We all know we have a need for more skilled trades—they're vital to the economy of this province—yet the government is not dealing with it.

I'm suspicious about the real motive behind this bill. I'm suspicious, because I look at what has happened in the past. I'm representing the opposition, the PC Party, and I look back to two elections ago, when there were big advertising campaigns that came out that were paid for by the Working Families Coalition, which happened to be a coalition of union-based groups. They ran ads in the 2003 election, like "Not This Time, Ernie, Not This Time." They had billboards by the subway. They were very effective ads that cost millions of dollars.

The Working Families Coalition is funded by a group of union organizations, so is it coincidence, then, that after the 2003 election, after the government was successful and the ads were successful, all of a sudden we have Bill 144, a labour bill, that comes through, that takes us from a secret ballot system for signing up, for enlisting in construction unions, for creating a new union in a company if you're in the construction business—from a secret ballot back to a card-based system? I'd love to hear the government argue that a card-based system is fairer than a secret ballot. I would love to hear them argue that, because it's absolute BS if they try to make that argument, because it isn't. A secret ballot, and—

**The Acting Speaker (Mr. Ted Arnott):** I'd ask the member to withdraw the unparliamentary language.

**Mr. Norm Miller:** I withdraw that comment that I made, gladly.

The point I was trying to make is that I don't know how you could argue that a secret ballot is not the fairest system for forming a union.

So, post the 2003 election, post the very successful third party advertising campaign funded by a union-based organization, all of a sudden we have a labour-based bill, Bill 144, coming into effect that, for the construction sector, takes us from a secret ballot back to a card-based system, which is very much open to manipulation.

I've seen the first-hand negative results of that bill in my riding of Parry Sound-Muskoka, and I would love to give some examples.

I had the pleasure of touring, a year and a half or so ago, the Red Leaves development occurring on Lake Rosseau, a huge new development, if it's built out completely, being put forward by Ken Fowler Enterprises. The development will be some \$915 million, one of the biggest developments—it certainly is the biggest development in the area of Parry Sound-Muskoka.

When I toured it—I think it was a year ago, in February—when I was asking how things were going, one of the construction trades was telling me they'd run into some problems because their company, which had been a private company, non-union-based for 20 years, had suddenly become unionized, and it had become unionized based on this card-based system. The guy wasn't sure how he was going to continue to operate, especially because when he went to the union, after deciding, "Well, I guess I'm unionized; I'll play by the rules,"



when he went to try to get workers to complete the job, there were no workers available. So all of a sudden, things at Red Leaves were stalled for a couple of months, based on this one company negatively affected by this bill, Bill 144, that brought in this archaic card-based system for signing up a union.

So now what do I see in a May 27 article in the local Bracebridge Examiner and Gravenhurst Banner? "Red Leaves Hotel in Receivership."

"Cost overruns for the multi-million-dollar Minett development Red Leaves have forced a portion of the lake-side resort into receivership, this newspaper has learned."

Luckily, it's not all bad news, because another company, Alvarez and Marsal, is taking over the operation of the Red Leaves Rosseau hotel component, so the hotel is going to be completed and operation is going on as normal.

So that side of it is good. I think this bill has played an absolute role in creating problems for this development. The hotel is now open. In fact, I was there for an event a couple of weeks ago. They've done a beautiful job with the Rosseau. It's the first J.W. Marriott Resort and Spa in the province, and I look forward to continued success. There are lots of other components that aren't connected with this part that have had some financial challenges. I'm sure the financial challenges are also in part because of the way the world changed last fall, and I'm sure the availability of financing has played a part in it.

But the negative legislation that this government has brought into effect has played a role as well. I look at other situations in the riding of Parry Sound-Muskoka, again to do with the apprenticeship ratios. I was up in Shawanaga First Nation meeting with the councillor on the council of Shawanaga First Nation, north of Parry Sound, talking about lots of their plans for the First Nation. But also, when we were just chit-chatting, I asked the councillor about his family, what his kids are doing, and he said his son wants to be an electrician but he can't get a placement; he can't find a place to develop the skills. That's the on-the-ground effect of this bad legislation that the government is passing.

So I am very suspicious about what this new college of trades bill is going to do, if it's really going to help deal in a fair way with the apprenticeship problems we've seen. I don't think anyone would disagree with the fact that we need more skilled workers and that we need to encourage that and make the trades appealing to young people in this province. I heard the member from Oshawa talking about having more trades in the schools—I would agree with that—in high school etc. There's great money to be made in the trades, for sure.

Certainly locally in Parry Sound-Muskoka, some of the community colleges are doing a great job in recognizing the need and then filling that need. I think of Georgian College president Brian Tamblyn, with whom I've had several meetings. They established a new campus in Bracebridge recently. They're trying to cater to the need they see, and one of the programs that I know they have at Georgian College in Bracebridge is a skilled

carpenters program. Of course, we have a tremendous cottage industry; there are always renovations and buildings and projects going on, and there is a great need for carpenters in the area. That is an example of where the community college is filling that need.

But going back to the bad effects of their past legislation, another example that comes to mind locally that I had dealings with—I was asked to meet with a local company, a Muskoka-based company, that builds condominiums. They have done several very successful projects in Huntsville and several in Bracebridge. I won't name them. They wanted to meet with me because, after 25 years in business as a non-unionized company, they suddenly had been unionized. I don't have all the details now, but he went through in detail how they were duped into becoming unionized by hiring some drywallers who came in on a weekend, and how through the skewed process the government now has in effect, these few workers were able to unionize the whole company, and the negative effects it was having on the company, that they might not be able to stay in business. That is the result on the ground for the negative legislation that this government is passing through this Legislature.

So we'll want to have a very detailed look at this legislation. Frankly, I am suspicious about the real reason that the government wants to bring in a college of trades. What benefit it will be to some of the groups that have supported the government in the past is what I would be looking at. On that third party advertising situation: I know the PC Party has written to Elections Ontario on that issue, and I believe we have received legal advice and are looking at legal means to deal with it, because in this province, if there are going to be third parties out there not being contained by the rules that affect political parties and advertising in the elections—currently the PC Party has not gotten involved with that—we either have to make rules that affect them or the PC Party will have to do the same thing. We'll have to get our working families and spend millions of dollars to bash the government. That's what will happen. If the government wants to have that happening, fine, but we would prefer not going down that road as the PC Party.

0940

Certainly we look forward to seeing this bill—talking about it in caucus today—go to committee as well. The PC Party recognizes the value of skilled trades. We have in our caucus, I think, probably the only plumber in the Legislature in Garfield Dunlop, the member for Simcoe North. He was a plumber in his past life. I think that's a very positive thing. We certainly have—

*Interjection.*

**Mr. Norm Miller:** Thank you, Mr. Speaker, for pointing out that we also have Randy Hillier, who is a licensed electrician, in the Legislature, as well, in the PC Party. I think that's a good thing.

*Interjections.*

**Mr. Norm Miller:** As the member from Durham is saying behind me, we have a lot of lawyers—maybe too many lawyers—but we need people to bring another per-



spective to the Legislature. The skilled trades are a group that I have the highest respect for, probably because I don't have their skills and I respect people who are able to fix a car or build something out of wood or fix the various plumbing challenges etc. I really do respect those people.

I wonder how the local plumber is going to feel when, all of a sudden, as a result of this bill, he gets a bill for \$100 in the mail. He's going to open up his mail one day and he's going to see: "College of trades," "\$100 I'm supposed to pay them."

**Mr. John O'Toole:** It will be more than \$100.

**Mr. Norm Miller:** Yes. It may be \$100 or it may be \$500. We don't know.

Ron Mann, my past plumber at Patterson Kaye Lodge, is going to open up his bill and say, "College of trades? Am I going to college or what's going on here? Why am I being billed \$100 for this new college?" I suspect the government might get a little bit of pushback on that as well.

We need skilled trades for the economy of this country. I think about the mining sector, where there are so many specialized trades needed for that, such a vital industry in northern Ontario. I think about the forestry sector, which has so many skilled trades. The small businesses that I was giving examples of before, whether plumbing or electrical: We need those people to run businesses and to be able to stimulate the economy and keep things going in this province. So the opposition will look forward to going through this bill with a fine-toothed comb.

I hope Mr. Wilson, our critic, is soon going to be back here—preferably before the end of the week, if he's feeling better. I wish him well and hope he is back here. If this bill does pass through the Legislature this week, before the end of the session, then all I would ask of the government is that they make sure they have fulsome committee hearings so that all of the people who have a concern, including the local plumber and electrician who may not be part of a union, and the businesspeople who will be affected by the new rules that are created and the new bureaucracy, will have an opportunity to have some input on this bill before the government passes it through the Legislature. With that, I conclude my remarks.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**M<sup>me</sup> France Gélinas:** It was interesting to listen to the comments from my colleague there, and I agree with a few parts of what he said. We too in the NDP have issues with some of the elements of the bill, and we too are wondering what kind of services the tradespeople will get for the type of money that they will be paying to their college. This is certainly an issue. We are talking about hundreds of thousands of tradespeople in Ontario who could be getting a bill if the college becomes a reality and wondering, "Why am I paying this money and what kind of services am I getting?" So I agree with this.

The part that I strongly disagree with is his view about card-based certification. If you look at what's happening

in the home care system right now, where people are asked to work for minimum wage or slightly above minimum wage—they do not get paid for travel time. They don't get paid for time on the road. The only way those people can ever hope to have half-decent working conditions is to get organized, to get unionized so that they have a strong voice, but they are mainly women who desperately need the little bit of money that they make, and women who are afraid. I looked at all of the people in precarious employment, and it's the same thing for them.

To have a member stand in the House and say that because a group of people got organized and got unionized, which is perfectly legal in this province, led to bankruptcy—I cannot stand here and accept this. Do some employers resist unionization? I agree with him. But once the union and management have a chance to work together, they make those employers stronger, and their employees bring better working conditions.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Reza Moridi:** I wish to thank the member from Parry Sound–Muskoka and other members who spoke on this bill yesterday.

They made comments about the notion of ratios. We all know that ratios is one of the issues that is facing the trades, and when it comes to determining the ratios, I would like to bring the attention of the member and this House to the fact that one of the two current acts, the Trades Qualification and Apprenticeship Act, actually legislated the number of ratios for various trades. This act governs almost all trades within the construction sector, so this is not something, as the member indicated, that we can change overnight. We just cannot do that.

The other act, the Apprenticeship and Certification Act, which passed in 1998—these two acts now govern the trades, and that's why we want to modernize the profession. We want to modernize apprenticeship and the trades. That's why we are bringing this college-of-trades bill to this House, and if passed, it's going to modernize and address those questions which have been raised in this House.

When it comes, again, to the question of ratios, this is not something that everybody can sit down and change. This is a technical matter, and it has to be done by technical people. That's why we have proposed in this legislation that there will be review panels, and their members are independent people drawn from experts. They are the people who are going to sit down and decide what should be the ratios between the apprentice and the journey-person. This is a technical matter, and we can't just let it go. We need to look into this very carefully to make sure that our apprentices, once they have graduated, are the masters of their crafts.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. John O'Toole:** I listened carefully to the member from Parry Sound–Muskoka, and he made two very important and compelling arguments. One was the argument on ratios.



This idea of ratios is one of the barriers to young people getting to learn trades. The employer, whether they're unionized or not unionized, is required by the regulations to have, as he said in the case of the electricians, three journeymen for every apprentice. In fact, if it's a small company, say it's an individual who has a company and maybe a son who he has trained, that might be against the law. That's the whole point here.

There's a section here, part 9 of the bill—it's ratios, compulsory and voluntary trades. That's a very important meddling portion of the bill, and I think it's important that members of the Legislature actually read the legislation. I think some of them are only reading the notes they've been given, which is very surprising when we're trying to modernize an industry.

The other point he made was the argument with respect to the Working Families Coalition group. It has been suggested that they're a skills-based working group that has provided money through the membership of their unionized—mostly unionized; not always, I suppose—employees contributing to these funds. These funds aren't accountable, and it has been said that they ran very expensive advertising called the Working Families Coalition against one of the governments. I say that that's part of a different debate, but really this whole idea looks like it's payback by having a college of trades. That college of trades is going to put a tax on every skilled tradesperson in this province: \$100 to maybe \$500 a month or a year—who knows?—on a job.

0950

**The Acting Speaker (Mr. Ted Arnott):** We have time for one last question or comment.

**Mr. Bill Mauro:** I'm pleased to comment on the speech from the member from Parry Sound–Muskoka.

I wanted to begin first, though, by recognizing the member from Nickel Belt and the graduation of her daughter from the industrial electrician program. It reminded me that, I think two or three years ago, the Minister of Education brought in a program, and I believe it's now part of the Ontario curriculum, although I stand to be corrected. We brought in women in the skilled trades program. I remember being at an announcement at Pope John Paul II high school in Thunder Bay two or three years ago, when it was called by a different name. At that time I was there with the Minister of Education, and we were announcing specialty programs within the trades within the high school curriculum. I believe there was a component in there that spoke to engaging more women, especially at the high school level, to get them interested in trades as well. That comment from the member from Nickel Belt reminded me of that particular story.

The building trades sector is extremely important, and unfortunately, the member's speech seemed to dismiss out of hand what the college of trades has the potential to do. If there's one thing that I think it can do and hopefully will be successful in doing, it's elevating the status of building trades in the province of Ontario.

I come from the riding of Thunder Bay–Atikokan. Thunder Bay has an incredible reputation. I had an op-

portunity to speak on this yesterday when it comes to skilled building trades and spoke about a young gentleman named Kent Wicklund, who just won a national competition from the Sheet Metal Workers Union Local 397 in Thunder Bay, where he continues to enhance the reputation that Thunder Bay has. If there's one thing that this college can do, it will be to enhance and raise the profile of building trades in the province of Ontario. We're all aware of the demographics when it comes to this particular realm of professions in Ontario, and hopefully, the college will be able to raise the level and profile in this industry.

**The Acting Speaker (Mr. Ted Arnott):** I will return to the member for Parry Sound–Muskoka, who has two minutes to reply.

**Mr. Norm Miller:** Thank you to the members from Nickel Belt, Richmond Hill, Durham and Thunder Bay–Atikokan for their comments.

The member from Durham brought up a good example of a one-person operation. I think again back to my past plumber from many years at the resort, my past business, Ron Mann, a single guy working as a plumber. How does he bring an apprentice on? One guy: He can't, under the current rule, and that's an excellent point. The member from Richmond Hill talked about the ratios being in legislation—I'm sure the PC Party would give you unanimous consent this afternoon to change the ratios very quickly.

I would like to highlight some other concerns that have been brought forward in an article on skills training by Vince Versace to do with the proposed Ontario College of Trades. I'll read from the article:

"The Merit Open Shop Contractors Association of Ontario (MOCAO) says the college will create a large, costly and unneeded bureaucracy it believes is 'designed to please the building trades' in the areas of both ratio and compulsory trade applications review and enforcement.

"The Ontario Road Builders' Association (ORBA) also has concerns about the college appointment council's powers and makeup.

"The roles of the complaints and disciplines committees also need to be looked at to help reduce potential 'fishing expeditions' as it concerns company complaints."

"The Council of Ontario Construction Associations (COCA) has highlighted five areas of concern which include the 'complexity of the college's organization structure,' the need for and power of a recommended appointments council, the process to determine ratios and trade status, cost of establishing and maintaining the college and the role of employer representatives."

There are lots of questions from interested parties out there. That's why, after we have a chance to caucus this, after we finish the second reading debate, we'll look forward to plenty of input from stakeholders as this bill goes to committee and hopefully gets input from those small businesses, the small electricians, plumbers and other skilled trades, as well as union-based organizations.



**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**M<sup>me</sup> France Gélinas:** It is my pleasure to add a few comments to Bill 183, the Ontario College of Trades and Apprenticeship Act, during second reading.

First, the NDP supports an arm's-length body to streamline approvals of industry recommendations regarding the compulsory trades, journey person ratios, curriculum and other matters. However, it is not clear that the new structure will do this, or whether the new college's cumbersome structure will merely substitute one bureaucratic barrier for another one, newly created. It is also not clear what the province's apprentices and journeypersons will get from their membership fees in the college. I think this is a trend that we have heard quite a bit this morning.

Basically, Ontario's apprenticeship system provides future skills for industry and the economy and supports the province to better compete in the global economy by ensuring that an adequate supply of skilled workers is available. Apprenticeship training is a cost-effective and efficient method of training for industry: 90% to 95% of apprenticeship training is done on the job.

The success of apprenticeship as a training program is dependent on its unique combination of workplace and academic education. The time-based workplace component of apprenticeship training is essential in that the apprentices must have an adequate period to learn from the journey person. In-school training must support what is being learned, practised and thought in the workplace.

Apprenticeship training must be more widely used as a mechanism to promote entry for new workers to the labour force, re-entry for workers returning to the labour force and transition for those who are already in the labour force. Apprenticeship training must be promoted more effectively in the school system in order to provide opportunities for students not going on to post-secondary education in an era of such high youth unemployment.

Apprenticeship training must be accessible to all. Marketing and education initiatives must be expanded to ensure that existing women, aboriginal and visible minority employees are recognized as potential apprentices by current and future employers. As I've just mentioned, I attended my daughter's graduation on Friday. She graduated as an industrial electrician. There were 39—I would call them kids, but I guess, young people in her class—graduating, but only two women: my daughter and her friend Shannon. The rest of them were still all guys. It's time to bring a balance. I think the trades would benefit if there was a 50-50 balance, very much like this House would benefit if we had a 50-50 balance between men and women.

Under the Mike Harris government, the apprenticeship system in Ontario was split in two by placing industrial trades in a new act and leaving construction trades under the old Trades Qualification and Apprenticeship Act, the TQAA. These actions deregulated the system and shifted the focus from apprenticeship as an employment relationship to apprenticeship as an education and training rela-

tionship. It removed the enforcement of the regulatory provisions that regulated ratio and wage rates and removed entry levels and duration from this legislation.

The NDP strongly believes that skill sets must not replace whole trades. While there must be flexibility to recognize genuine new trades as technology changes, this must not be an excuse to fragment existing trades into partial components, or skill sets, which are then treated as new trades in themselves. The Harris changes redefined the work of specific trades to that of simple skill sets, which resulted in an increase in multi-crafting and multi-skilling and a further fragmentation of existing trades. This splintering of the trades compromises the health and safety of workers as well as consumer safety and environmental protection. It is leading to a generation of workers who lack an understanding of their complete trade and an overall deskilling of Ontario's workforce, the complete opposite of where we should be going.

#### 1000

Compulsory certification must be significantly expanded after re-establishing whole trades, not just skill sets. Employer-established, non-regulated "designer trades" must come under regulation through the established apprenticeship training programs. With that as a starting point, over time the NDP believe the entire system should move toward compulsory certification for most trades. Compulsory certification will ensure increased flexibility and mobility, as well as higher standards, higher skill levels, higher-quality training, and increased confidence in the apprenticeship system. Compulsory certification will also help ensure public safety and consumer protection.

I want to talk a little bit about enforcement mechanisms. Those mechanisms must be legislated to ensure compliance with compulsory certification regulations by both employers and individuals, and fines for violating the act must be increased to significant levels so that people take those enforcement mechanisms seriously. The enforcement mechanisms must have clout, and penalties must be strictly enforced. Otherwise, it's all for nothing.

Another point is wage requirements. Wage requirements must be re-established, and tuition fees for apprenticeship programs must be abolished. The Harris government deregulated wage requirements for apprentices, and the government is now introducing tuition fees for apprenticeship programs. Both of these moves downloaded the costs of training to the individual and act as a deterrent to potential new apprentices entering the trades.

We have to talk about the lack of tradespeople. About five years ago, my husband and I built a new home. With my husband, as I've already said, being an electrician, we decided to do the general contracting ourselves. Let me tell you that all of the tradespeople who worked on our house were, to use a friendly term, aged. Our framer was Lucien Rheault. Lucien was 64 years old when he framed our house. He had been a framer since he was a boy of 16, and framed 10 new houses in the Sudbury area every summer. He's very experienced. He was excellent to



work with, but did you notice—64 years old. We asked, “Do you have an apprentice with you?” He said, “I used to have apprentices with me, but I cannot find any.” It was not through a lack of goodwill on his part; it was because there are so many barriers for young people to come and work. The list goes on.

The bricklayer who came was in his 60s. The roofer was actually in his 70s. He was a small man, smaller than me, who could carry three bundles of shingles on his shoulder, climb up the ladder to do the roofing, and then would come back down the stairs facing out, not even holding onto the stairs. This man had been a roofer all his life. He certainly showed the marks of his trade. But same with him: He was working alone. When I asked him why he didn't have an apprentice with him, his answer was the same: “I used to have young apprentices with me.” He certainly was willing and able to have young people come and apprentice with him, but there was nobody there who was interested in learning his trade. So here he was; I think he was 74—I forget his exact age—and still doing roofing, doing a very good job of it. The man was very fit. But he couldn't find somebody else to take on his business and to continue. The only two trades who were not over 60 years of age were my husband, who did the electrical work, and a friend of ours, Doug, who is a plumber. The rest of the trades, whether it was the drywaller, the plasterer, the cabinet-maker etc., were all aged men—very fit, very competent, very good tradespeople, but people who had been in the trades for a long time, loved what they did, but couldn't find young tradesmen. I realize that this has mainly to do with the construction trade, but it extends to other trades as well.

Let me talk a little bit about the provincial advisory committees. They must be established for all trades and must be mandated with more responsibility and authority. At present in Ontario, the provincial advisory committees exist for regulated trades only, and they are strictly advisory in nature. The committees should provide more input on training, intake, standards and education requirements, while governments should retain a role in promotion, licensing, programming and, of course, enforcement.

The school-to-work and pre-apprenticeship programs must be designed to adhere to the ratios and standards set out by the provincial advisory committee. The red seal program must be expanded. The provincial government must be part of a move to expand and enforce the red seal program to provide for national standards based on industry—that is, employers' and employees'—needs for all occupations identified as suitable for the apprenticeship training model. These standards must cover all aspects of training, including on-the-job and in-school training, qualifications, examinations and certification.

I wanted to talk about the college of trades act. If passed, this legislation would establish a regulatory college that is designed to modernize the province's apprenticeship and skilled trades system. The new college would also encourage more people to work in the trades

and help the system better serve employers, skilled tradespeople, apprentices and, at the end of it all, the consumers as well. Among the many duties of the college outlined in the bill are review of the compulsory trade application, review of the apprentice ratio, enforcement of apprenticeship standards, and discipline.

The legislation creates a powerful appointment council comprised of eight members and a chair who are appointed by the Lieutenant Governor in Council. The appointment council is essentially in place to make appointments of all members of the various elements of the college governance structure, which includes the board of governors, the divisional board and trade board—so three levels. It is also responsible for appointing individuals who can be neutral and impartial to a roster of adjudicators.

It is proposed in the bill that the college's board of governors would be comprised of 21 members, four from each of the construction, motive power, industrial and service sectors, with two of the members in each sector selected as employee representatives and two as employer representatives, and five selected as representing the public. The chair of the board would then be selected by the board.

The bill also proposes that there will be a divisional board for each of the four sectors to advise the boards on issues relating to the trades within their respective sectors. The divisional board will be comprised of five members, two employee representatives, two employer representatives from the sector and one of the four members of the board of governors from that sector, and that person will be the chair. Advising the divisional board for each sector is a trade board made up of two employees' and two employers' representatives from the sector and appointed by the council.

The board of governors is empowered in the bill to establish an executive committee, registration committee, complaints committee, discipline committee, fitness-to-practise committee, and to appoint the members and chairs of those committees. These latter three committees very generally consider and investigate written complaints of various types that are logged against the college members.

Under the provisions of the bill, the board of governors may from time to time establish review panels to make determinations on journeyperson-to-apprentice ratios and on classification of trades as compulsory trades or voluntary trades. All three members of a review panel must be selected from the roster of adjudicators as follows: one member selected by the board of governors and two members selected by the divisional trade board for the sector to which the trade belongs. Decisions of a review panel are final and not subject to appeal—which is also something that always kind of raises a red flag.

#### 1010

There are two classes of college membership described in the bill: journeyperson, and persons who employ journeypersons or who sponsor or employ apprentices. The process for annual membership fees will be detailed in the college bylaw.



The Ministry of Training, Colleges and Universities retains some apprenticeship responsibility, including approving and funding training providers. The ministry would also continue to perform operational duties such as registering training agreements for apprenticeships and conducting certification exams. Also, the government would continue to administer programs such as the Ontario youth apprenticeship program and the apprenticeship training tax credit.

I want to come back to the government's responsibility for approving and funding training providers.

In Sudbury, the city where I live, we have two colleges, Collège Boréal and Cambrian College. Collège Boréal is a fairly new college. It's a French-language college that recently celebrated its 10th anniversary.

If you look at the programs that the college offers, they are top-notch. They always produce top-notch graduates, and the people who employ them are truly satisfied. Every year, the college wins significant awards for the programs that they offer and the graduates that come forward.

The problem is that the French college can only offer 30% of what the English colleges in this province have to offer, so they put forward a proposal, a request for funding, to increase the number of trades programs that could be offered in French to the francophones of northeast Ontario, the area that they mainly serve. The proposal was to establish 10 new trade schools so that the college would be able to do this. That would not bring them to par with what is offered in English colleges, but would certainly meet a huge pent-up demand on the part of the francophone students of northeastern Ontario who want to study trades and feel more comfortable studying in French, their mother tongue.

I was, and they were, extremely disappointed when, last week, announcements were made as to the investment in infrastructure. They had asked for \$24 million to allow them to build the facility for those 10 new trade schools, which would give access to about 700 new tradespeople a year who want to come to Collège Boréal and learn trades. Unfortunately, they did not receive funding. They received \$5 million from the provincial government, for which they are grateful, but they have received nothing from the federal government.

The need for trades programs for the francophone community is huge. There is a historical liking on the part of the francophone population for learning a trade and to earn a living as a tradesperson. Unfortunately, the opportunity to be trained in the French language is very limited. The opportunity was there for Collège Boréal, which is fully capable of teaching those 10 new trades, but unfortunately, it never got funded.

Je voulais conclure en disant que la semaine dernière à Sudbury, le Collège Boréal a été extrêmement déçu par le manque de financement; ils n'ont pas reçu le financement désiré pour augmenter les programmes qui seront offerts en français au Collège Boréal. Ils sont prêts à offrir 10 nouveaux programmes dans les métiers. Il y a plus de 700 étudiants et étudiantes par année qui seraient

intéressés à venir s'inscrire au Collège Boréal pour apprendre un métier, mais malheureusement ils n'ont pas été capables de recevoir le financement.

Très peu de financement, en fait, est venu pour les institutions postsecondaires dans le nord de l'Ontario. Il y a un peu d'argent qui est allé au collège Cambrian mais très peu pour le Collège Boréal, qui malheureusement ne sera pas capable d'ouvrir ces nouveaux programmes. C'est vraiment dommage.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Ted Arnott):** It being very close to 10:15, I shall now recess the House, and we'll reconvene at 10:30.

*The House recessed from 1015 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Robert Bailey:** I'd like to introduce three guests in the west members' gallery: Melissa Chopcian, who won the best in Canada in the junior category science fair, accompanied by her brother Christopher, who won fourth in electrical engineering at the International in Reno, Nevada. Also with them is their father, Michael, who is very proud to be with them here today.

**Mr. Khalil Ramal:** I'd like to welcome the guests here from London in the west gallery. They are grandparents of page Jacob Squire: Peter Vantol, Marianne Vantol, Harry Lindström, Ken Squire, Hilda Squire and Phil Squire.

**Mr. Robert W. Runciman:** I'd like to introduce Richard Fogarty in the opposition galleries, who's spending some time at Queen's Park learning about all the failings of the Liberal government.

**Mr. Paul Miller:** I would like to welcome to the Legislature today Maryam Nazeemee and the injured workers who spent the night in vigil here to raise awareness of their plight.

Also, I would like to introduce a family friend, Wendy Hickey, and my wife, Carole, who are sitting in the members' gallery.

**Hon. George Smitherman:** I hope that members will join with me in welcoming the leadership of the Electricity Distributors Association. They remind you of their event in the legislative dining room from 5 to 7:30. We have Charlie Macaluso, the president; John Loucks, the chair; and Michael Angemeer and Brian Bentz, who are board members. Welcome, the EDA.

**Mrs. Laura Albanese:** I would like to welcome my husband, Germinio Pio Politi, to the Legislature here today to celebrate Italian Republic Day with all the members of caucus.

**Mr. Bruce Crozier:** It's a pleasure for me today to introduce two friends from the great riding of Essex, they being Elean and Jim Krushelniski. I want to say that Elean was my first constituency assistant, who had worked for Remo Mancini, my predecessor, and she taught me what I had to know as a rookie MPP. Welcome.



**Hon. John Wilkinson:** On behalf of my friend the Minister of the Environment and myself, we are both delighted that young people from Ontario who competed in the Canada-Wide Science Fair are visiting Queen's Park today. There will be a reception for our constituents in the Macdonald Block this afternoon. We hope the members will be able to attend.

**Mr. Reza Moridi:** I would like to welcome Adelina Cozma, from my riding of Richmond Hill. She is one of the winners of the Ontario science fair, and she has gone to represent Ontario in the Canada-Wide Science Fair. She was also a page at this House just recently. Welcome to the House.

**Hon. Deborah Matthews:** It is my pleasure to welcome to the House today the family of page Jacob Squire from the great riding of London North-Centre.

**The Speaker (Hon. Steve Peters):** On behalf of the member from St. Paul's and page Carlyn Mandarano Sistilli, we'd like to welcome her mother, Donna, and her brother, Kristian, sitting in the members' gallery today. Welcome.

On behalf of the member from Timmins-James Bay and page Kathleen Crump, we'd like to welcome her grandmother, Linda Burke, sitting in the public gallery today.

On behalf of the member from Beaches-East York and page Sam Beleutz, we'd like to welcome her mother, Johanna Carlo, to the Legislature today.

I'd also like to welcome two friends of mine who are seated in the Speaker's gallery: Andy Cottrell and Patrick Hunter. Welcome to Queen's Park, gentlemen.

#### MEMBER'S BIRTHDAY

**Mr. Yasir Naqvi:** I just want to acknowledge that it's MPP Johnson's 55th birthday today. Happy birthday to Rick Johnson.

#### ORAL QUESTIONS

##### ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** My question is to the Minister of Health. The press release, Minister, issued by eHealth yesterday regarding the PricewaterhouseCoopers review—what you call a third party independent review—is quite a read.

Minister, are you not aware of the fact that the eHealth board of directors already has an approved policy on expenses, as well as an approved policy on procurement, and that those policies were endorsed by PricewaterhouseCoopers just a few months ago?

**Hon. David Caplan:** I can inform the member that, in fact, in March of this year, cabinet approved a memorandum of understanding with the eHealth board, as is customary with agencies. As well, they do have a revised policy as of April this year.

What's important to remember is that the members of the board of eHealth were directed to take on a third party review in light of some of the expenditures which have come forward. There will be an additional layer of oversight as well with the auditor's review.

I think that PricewaterhouseCoopers is a well-known and well-respected accounting firm. It's one of the world's recognized firms to do this kind of work. I look forward to the recommendations and insights they might have on ways in which we can strengthen the financial controls and the management practices at eHealth.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Robert W. Runciman:** "Party review" is nothing more than a punchline for a bad joke at taxpayers' expense. They already have conducted a review—just completed a few months ago—and they endorsed the programs that were in place.

What is happening here is really a sham exercise designed to really hide what has happened with respect to this agency. The policies already exist; the Liberal appointees made a conscious decision to ignore them. There are rules in place, and now you are, I think, in some respects, playing Ontarians like fools by suggesting you're going to have this agency that just finished a review a couple of months ago come back and conduct another review.

Minister, the buck really stops with you. If you had one ounce of courage or an interest in ensuring that tax dollars were spent appropriately, you'd do the right thing and fire Ms. Kramer.

**Hon. David Caplan:** I do acknowledge that the investments in eHealth are significant. I think that, especially when you look and compare south of the border, as I've mentioned in this House before—President Obama has embarked on an e-health project—some \$50 billion over the course of five years. The investments in Ontario are no less staggering as far as the amount of resources into this area.

I will say that I believe that the current leadership to date has yielded good results and is on track to reach our goals of a modernized health care system. They have already moved forward on requests for expression of interest and are moving to requests for qualifications and further proposals on the diabetes registry. They have begun a pilot project related to e-Prescribing, a very important project to link pharmacists with primary care physicians that has begun in two communities, in Collingwood and Sault Ste. Marie, and we look forward to driving that forward. They are moving forward—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Robert W. Runciman:** This minister has a track record of asleep-at-the-switch oversight. We saw it with the Ontario Lottery and Gaming Corp. in his earlier portfolio. Not only has this minister allowed the eHealth chair and the CEO to ignore this report, but they made a mockery of policies on expenses.

You're forcing taxpayers, who are losing their jobs, to pay consultants for \$15 cocktails and \$300 an hour for



reading a newspaper on the subway. It's laughable to think that this time they're going to follow the rules—they've ignored them up to this point.

Minister, the CEO and the chair need to go, and clearly, you need to go. When is it going to happen?

**Hon. David Caplan:** I've certainly shared my concerns with the House, and I know the Premier has as well, regarding some of the expenses which have been disclosed by the CEO and the chair. However, although there are costs of business—I think we all understand that—it is important that taxpayer dollars are respected and treated responsibly. That is important not just for eHealth, but I think it's a cautionary and important message for all members of this Legislature and every one of us who has the privilege to serve Ontarians. That's why I took the step to direct the board of eHealth Ontario to bring in third party independent oversight. That's why, later today, I will be speaking with Mr. McCarter, the Auditor General of the province of Ontario, an independent officer of this Legislature, one who has done a thorough job, one who has done excellent work on behalf of Ontarians. I look forward to both of those reviews for what they will yield in ensuring that we, in fact—

**The Speaker (Hon. Steve Peters):** Thank you.

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#### ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** My question is to the Premier on his out-of-control eHealth agency and the Liberal appointees in charge. Premier, in a press scrum this morning, when you were asked about the misuse of tax dollars at eHealth, you said, "I don't think they've technically done anything wrong." Premier, what you are telling the hard-pressed taxpayers, when hundreds of thousands of jobs have been lost in this province, when you are running record deficits, is that it's technically okay to use tax dollars for a \$15 cocktail, or when you are being paid \$2,700 a day to bill for \$1.50 cup of tea. Is that really your position, or were you misquoted?

**Hon. Dalton McGuinty:** I think that one of the things I was trying to make clear today, as I have in the past and I think my minister has been doing as well, is that we can and must do better here. I think we've done a fairly good job as a government to protect taxpayer dollars as we've handled those through the public system, through the ministries and the bureaucracy. Now what we've got to do is make sure that when we hire the private sector, we ensure that their use of public dollars is just as careful as the practices that we've adopted in government. We need to take a look at those rules and I think that we can improve upon those rules, hence the requisition for a third party overview. We're looking forward to the advice of the auditor as well.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** The Premier has tried to avoid answering questions on this issue—I should say "responding," since he rarely answers anything. He has responsibility for this agency's arrogance and contempt

for taxpayers. It falls right on his doorstep. I'm told the Premier personally interviewed the CEO, Ms. Kramer, before her appointment. This is someone who gave herself a \$114,000 bonus after three months on the job, gave out millions of tax dollars in untendered contracts and, in the middle of this spending controversy, arrogantly spent another \$27,000 for a cocktail party in Quebec City. Premier, this is your Liberal appointee. She's rubbing it in the face of taxpayers. Do you accept any degree of responsibility?

**Hon. Dalton McGuinty:** I've said to my honourable colleague that I think we can and should draw some lessons from what has taken place here. There are some expenditures which ought not to have been accepted and I don't believe were justifiable. But we need to get the best advice from PricewaterhouseCoopers and the best advice from the auditor, and then, on the basis of those recommendations, see what we might do to ensure that this does not happen again.

I think, in fairness to the folks who have taken responsibility over at eHealth for the management there, they have, in fact, played by the rules. But the responsibility—and I agree with my colleague in this regard—does fall to us now to take a look at this experience and see what we might need to do to tighten up those rules. We've got to make sure that the rules that apply to the private sector when it comes to spending public dollars are just as rigorous and just as careful as the rules that apply to the public sector, here in government, as we deal with public dollars.

**The Speaker (Hon. Steve Peters):** Final supplementary?

**Mr. Robert W. Runciman:** Words are great; action is overdue. What's happening here, along with your minister's defence of the indefensible and your attempt to trivialize a blatant and outrageous abuse of scarce tax dollars, is a clear indication of the growth of a culture of entitlement in this Liberal majority government that's infecting its agencies. That's what's happening here. We see it at TVO, at Ontario Lottery and Gaming and now at eHealth. Premier, if you're sincere about coming to grips with this challenge, fire Ms. Kramer and demote Mr. Caplan. They deserve it. Will you do it?

**Hon. Dalton McGuinty:** Again, there are some parts of the concerns that my honourable colleague has raised with which I agree, but his solution is not something that I can accept.

I think, in fairness to the folks that are in charge at eHealth, they have been playing by the rules that have been in place. What we need to do is to take a look at those rules. I believe that some of them have been too lax. I think we need to wait for the report coming from PricewaterhouseCoopers. We need to wait for the information and the advice to come from the auditor. We then need to make changes to those rules, and I think that those changes may, as well, have some applications to some of our other agencies when it comes to hiring on the private sector and their use of public dollars. We've got to ensure that we are rigorous and careful with public



dollars, whether they're being spent by the private sector through consultants or internally through government in our ministries.

### PENSION PLANS

**Ms. Andrea Horwath:** My question is to the Premier. Today, New Democrats are launching our Pensions for All campaign. The campaign is urgently needed because only one third of Ontarians have workplace pensions, and even some of those are in dire jeopardy.

New Democrats believe that now is the time for an Ontario pension plan. Other provinces are already moving on this, creating their own pension plans. The government's own Arthurs commission also soundly endorses this idea for Ontario.

My question is this: What is the McGuinty government prepared to do for the two thirds of Ontarians who have no pension plan and who face a retirement without dignity and without security?

**Hon. Dalton McGuinty:** My honourable colleague has raised this issue with me before, and I completely agree with the need for us to do something. I'm not prepared to accept, right at this point in time, that the province of Ontario should take this on its own. You will know that I've put a request before the Prime Minister—I've raised this with him personally on at least three occasions now—that we host a national summit. This pension issue affects all Canadians right across the country, and I think that a national challenge calls for a national solution.

I know that some of my colleagues, my counterparts in other provinces, have made the same requests of the Prime Minister, and I believe it's the kind of thing that we will take up at the Council of the Federation meeting this summer, when all the Premiers come together, to see where we might go together. But it's such a large issue that my instincts are telling me that it would be best addressed by the country as a whole, in the same way that we move forward with medicare and employment—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Ms. Andrea Horwath:** Ontario is facing a pension crisis, and all the Premier can do is punt the issue over to Ottawa. This government has jurisdiction over 85% of Ontario's workplaces, but it's clear it is doing nothing to provide pension coverage to the two thirds of Ontarians who presently lack it. New Democrats believe that every worker in this province should be covered by a workplace pension plan.

Rather than pass the buck to the federal government, why won't the McGuinty government support the creation of an Ontario pension plan so that all Ontarians can retire with dignity and security?

**Hon. Dalton McGuinty:** Again, I support the sentiment expressed by my honourable colleague, but I think that the problem is so huge that it calls for the best minds in Canada.

One of the things that I would recommend to the Prime Minister is that we might pull together not only a

summit, but put together a blue-ribbon panel, with recommendations from some of the provinces and territories, and take a look at how we might put into place something new, the first of its kind, modelled broadly along the lines of our health care plan—medicare—and broadly along the lines of employment insurance, notwithstanding its challenges, that speaks to a new program that ensures that all Canadians, from coast to coast to coast, can, in their retirement years, enjoy a decent standard of living. I don't think that's the kind of thing that we ought to approach on a province-by-province basis.

**The Speaker (Hon. Steve Peters):** Final supplementary?

**Ms. Andrea Horwath:** Ontario's pension system is in shambles, and all this Premier can do is ramble on about Ottawa hopefully riding to the rescue.

Pension coverage is now less than 25% in the private sector, and the provincial government has jurisdiction over the vast majority of these private sector workplaces. This government has been in power for almost six years, yet it refuses to take responsibility for a problem that has grown on its watch. Why is the government continuing to reject an Ontario pension plan that would help ensure financial security for all Ontarians?

**Hon. Dalton McGuinty:** Just to make it perfectly clear: It's not about handing this off to Ottawa; it's handing it off to all of us. I think that we're at our best when we approach these kinds of major challenges together.

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Now, in fairness to us as well, we were the first to commission a report. We have received that report. We have acted on the Arthurs report. We have adopted some recommendations already. But we think that the next leap forward ought to be a quantum leap. It ought to speak to the next generation and the burden we're about to place on them unless we take greater responsibility for our own retirement years.

Again, I continue to maintain—and we'll talk about this at the Council of the Federation meeting in the summer with all the Premiers—that we've got to find some way to come to grips with this nationally, through all the provinces and through the federal government, acting together.

### DRIVE CLEAN

**Ms. Andrea Horwath:** I think that New Democrats would agree that we need a quantum leap, but we need an Ontario pension plan; that's the quantum leap we need.

My next question, though, is to the Premier as well. The Hamilton Spectator reported today that as many as 500 of the government's Drive Clean emission-testing units do not function properly. Leading North American expert Michael St. Denis has tested a sample of the ESP-made model and found that they failed to operate correctly eight out of nine times. The government was sent the report on May 3, yet last Thursday, the Minister of the Environment claimed that the Drive Clean program was working well.



What action has this government taken to date in response to this report that shows the embarrassing deficiency of Drive Clean testing units?

**Hon. Dalton McGuinty:** I know that issues have been raised in the past in this House when it comes to Drive Clean facilities and their operations, and I want to assure and reassure Ontarians on a number of fronts.

First of all, audits of all Drive Clean facilities are performed at least once per year. More than 50,000 audits have been performed so far on over 1,700 light-duty-vehicle Drive Clean facilities.

We understand that it's really important that Ontarians have confidence in the Drive Clean operations, that they respect the integrity of the process and that they're getting good value for their money. I want to reassure them that we continue to audit these facilities and act on the basis of any information that we receive.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** Ontarians have paid for 26 million Drive Clean tests over the past 10 years. The McGuinty government has known for years that the testing units are not functioning properly. In 2007, the government asked Michael St. Denis to help them show the public that these units in fact worked, but it abandoned the plan when Mr. St. Denis told them that the units in fact would likely fail. Why haven't you inspected and tested all ESP units being used in the Drive Clean program?

**Hon. Dalton McGuinty:** I understand that there is a matter before the courts on this very subject, and everybody in this House knows why I can't speak to that. But I can say that Ontario requires something called California BAR-97-certified equipment to be modified and then undergo Ontario's own acceptance testing procedures. I can say that ministry staff have conducted a review of the concerns raised and consulted with industry experts, and we are confident that the equipment used in Ontario meets stringent requirements and provides consistent and accurate results. All equipment used in the Drive Clean program has passed, and must pass, a rigorous approval process.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** A statistical review is not the same as testing the units themselves for their effectiveness. Taxpayers have poured \$650 million of hard-earned money into a Drive Clean program that is simply a mess. An independent audit shows that ESP units are failing 89% of the time. Supposedly-certified testing units have uncertified parts. ESP testing units that the government claims meet California standards in fact do not.

Why won't the government agree now to order a full and independent audit of all testing units in the Drive Clean program?

**Hon. Dalton McGuinty:** I know that concerns have been raised, but again I want to reassure Ontario families that we are doing everything that we can to make sure that the equipment is functioning properly and that Ontario drivers are getting good value for their money.

Audits of all Drive Clean facilities are performed at least, as I said, once a year. More than 50,000 audits have been performed on over 1,700 light-duty-vehicle Drive Clean facilities. Drivers only pay when an accurate result is produced. There is continuous monitoring by the equipment during every single Drive Clean test. So we continue to have confidence in the Drive Clean operation and in particular in the equipment that is being used to produce the results.

## ELECTRONIC HEALTH INFORMATION

**Mrs. Elizabeth Witmer:** My question is to the Premier. The exposé of the excessive spending at eHealth has had an impact. First of all, many health stakeholders now know that the little secret on University Avenue has been exposed. However, I can tell you that taxpayers are absolutely outraged. They are outraged because you have, in your cabinet, a minister who travels from one portfolio to another and demonstrates in each instance incompetence and absolutely no oversight. Not once has this minister stood up and condemned the excessive, outrageous spending at eHealth. Are you prepared to fire that minister?

**Hon. Dalton McGuinty:** Let me be very direct: No, I'm not prepared to do that. But again, in fairness to the minister and in fairness to the response that our government has brought to these facts, we believe that we can do better. We believe that some things have happened under rules which were in place, in fairness to the folks who run eHealth, that we ought to change. That's why we've asked for a third party review, that's why we look forward to the recommendations of the auditor, and, on the basis of that information, we will act.

Again, we've got to make sure that the private sector's use of public dollars is just as careful as the public sector's use of public dollars has been. I think we've demonstrated that as a government; we've been very careful in our use of public dollars. We've got to make sure that those kinds of rules now apply to the private sector use of public dollars.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Elizabeth Witmer:** It's a sad day for taxpayers in the province of Ontario when the Premier smiles about the excessive, outrageous abuse of taxpayer dollars—

**Mr. Robert W. Runciman:** Fifteen-dollar cocktails.

**Mrs. Elizabeth Witmer:** —\$15 cocktails and millions of dollars going to consultants. Then we have the Minister of Health laughing as well. It's no laughing matter, I can tell you. You have been exposed, and the health stakeholders, I can tell you, are pretty happy that the dirty little secret is out.

It's now up to you to assume some responsibility at a time when people throughout the province are suffering and are trying to make ends meet. It is time for this minister, who moves from one portfolio to the other and exercises no remorse and no oversight, to resign. Will you fire him?

**Hon. Dalton McGuinty:** I think I answered that question pretty clearly the first time around. But what I can



say is—and I don't want folks to lose sight of this. The opposition has raised a legitimate issue and we have a responsibility to contend with that, and we've put a process in place to get that done.

But I want to remind Ontarians of just why it's so important that we continue to move ahead as quickly as we can to put in place electronic health records. My colleague has made reference to the fact that the Obama administration is moving quickly on this front. We want to do this because we want to modernize our health care system. We want to find a way to make it more efficient. We want to eliminate waste. We want to avoid duplication. We want to bring better-quality health care to Ontario families. That's why we're moving on this.

At the same time, as we move, we have to be careful with taxpayer dollars. We've got to make sure we're as careful when the private sector uses those dollars, just as we are careful when the public sector uses those dollars.

### ELECTRONIC HEALTH INFORMATION

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée. The minister is desperately trying to evade the disaster that is eHealth Ontario, both the flagrant waste of taxpayer money and the reality that Ontario still does not have a functioning electronic health medical record. Yesterday, the minister called for a third party review of eHealth, a review to be handed out to a private consulting company and a review that has, in effect, already been completed.

The minister continues to ignore reality. When will he finally admit and commit to real action to fix the disaster that is eHealth Ontario?

**Hon. David Caplan:** I think members can sometimes get a little bit carried away with their rhetoric, and that's clearly the case here. In fact, eHealth is an important undertaking. It's a major priority of this government. I think the leadership of eHealth has already yielded, in a few short months, some very good results.

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I've had a chance to speak to the member about eCHN, which has been in place now celebrating 10 years for electronic health records for children. We in fact are working and driving forward on electronic health records, part of the diabetes registry. As we had committed to the people of Ontario back in 2007, we are on track to deliver eHealth records, electronic health records, by 2015. I truly believe we can do it faster. It's very important.

The member says "some third party consultants." PricewaterhouseCoopers is one of the world's foremost experts—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**M<sup>me</sup> France Gélinas:** The words that I have been waiting for this minister to say start with "I will do," and then you fill in the blank. I want to know what you will do. Ontarians are waiting for this minister to take charge and take real action.

The cards are on the table; the facts are clear and you've heard them all: from the nightcaps, to the square, to the cup of coffee, to the \$2,700-a-day fees. We all know it. Yet he prefers to launch another costly consultant review that is really more of a public relations exercise than anything else.

If this minister is not prepared to take this issue seriously, then he only has one choice: He has to step aside. Will he end the charade and end it today?

**Hon. David Caplan:** I'm going to do what Ontarians expect, which is to modernize our health care system, which is to drive forward to put the important eHealth infrastructure in place.

Regrettably, when it was set up in 2002, Smart Systems for Health Agency was given the incorrect mandate. My predecessor called for an operational review of that agency. The operational review said that we really had to start from scratch, and that's what we've done. But in a few short months, we have already seen and yielded very good results, which makes me believe that we are on track to deliver the eHealth infrastructure which will modernize our health care system, bring professionals together, and we'll have a safer health care system.

I have, on several occasions, in this House and outside, said that I have concerns about the revelations on expenses, which is why I have called for a third party to come in to review management practice, to come and involve—

**The Speaker (Hon. Steve Peters):** Thank you.

### CONSUMER PROTECTION

**Mr. David Ramsay:** I have a question for the Minister of Energy and Infrastructure. As the minister is aware, on November 20 of last year I introduced An Act to amend the Ontario Energy Board Act, 1998 with respect to retailers of electricity and gas marketers. The minister is also aware that I brought this bill forward out of my concern for some of the most vulnerable people in my riding really being exploited by unsavoury retailers at the door, misrepresenting and coercing people into contracts that they could ill afford.

I've had hundreds of complaints about the behaviour at the door, and I'm asking the minister today what our government is going to be doing to rectify this situation.

**Hon. George Smitherman:** I want to thank the honourable member from Timiskaming-Cochrane and in fact so many members in this Legislature who, in one form or another, through their votes and sometimes through their correspondence, have expressed concerns about the practices of energy retailers in the province of Ontario. The government shares that concern, and we think that it's crucial that consumer protection be more a cornerstone of our energy policy.

Accordingly, it's the government's intention to work on policy that we would bring forward in the form of legislation this fall: a bill designed to further protect consumers from door-to-door salespeople who sometimes use questionable practices to sell fixed-price contracts for



natural gas and for electricity. We applaud that the Ontario Energy Board has been active in this area and recently has fined some marketing organizations and retailers, but at the heart of it we recognize an opportunity to enhance the consumer protections, and that's why we'll be bringing forward a bill this fall.

We thank the honourable member for his leadership in this area.

**The Speaker (Hon. Steve Peters):** The member from Ottawa Centre.

**Mr. Yasir Naqvi:** My constituents are also concerned about this matter, and I'm glad to hear that the government will not tolerate predatory sales practices by energy retailers.

As you know, I represent an urban riding, and as such, another concern my residents have is with sub-metering in high-rise residential buildings. It is estimated that 500,000 households live in high-rise buildings across the province, most of which include electricity in their rent. Sub-metering has been identified as a key component of establishing a culture of conservation in Ontario where our residents will be aware of and accountable for their energy usage. However, Minister, in March, the Ontario Energy Board issued a compliance bulletin requiring all sub-metering activities in this sector to end as a response to concerns raised by some tenants. Minister, what is the government doing to protect these consumers as we encourage them to participate in the culture of conservation?

**Hon. George Smitherman:** The honourable member represents a riding not dissimilar to mine, in some sense, which has a lot of tenants. In many, many circumstances in the province, our tenants are all in buildings with one main meter. As we move towards sub-metering in those units, we want to ensure that tenants are appropriately protected. As an example, where electricity is embedded in the rent and you seek to pull those apart, we want to make sure that the appropriate amount of electricity cost is apportioned to the tenants. We're looking at how we can, in the context of consumer protections, enhance those protections related to the initiative on sub-metering. It's a very crucial strategy for energy conservation. We think it's important that people know how much electricity they're using, but we also think it's critically important that the rules guiding that be designed in a fashion which offers all appropriate protection for tenants and consumers in the province of Ontario.

#### ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** My question is back to the Premier—a question I asked him earlier and he danced around without answering. I think it's important for taxpayers. We just heard yesterday about a record deficit in this province—another record deficit from this Liberal government. He said that in terms of the waste and abuse of tax dollars at his agency, under the direction of his Liberal appointee, he was quoted as saying, "I don't think they've technically done anything wrong." So

I'm going to ask him a very specific question. An individual hired by this agency, being paid 2,700 tax dollars per day, goes out and spends \$15 a night and bills the taxpayers for a cocktail—a nightcap. Is that technically okay according to the Liberal government?

**Hon. Dalton McGuinty:** To the Minister of Health.

**Hon. David Caplan:** I think both the Premier and I have been very clear that while rules are in place and have been followed, it's not simply a question of whether things can be done, but rather whether things should be done. That's precisely why I've called the board chair seeking reassurances and that's particularly why I've instructed the board to take on a third party review of the agency, its management practices and its financials. We think that's very important for the protection of taxpayers. If things can be improved, we do believe they should be improved. In addition to that, I would advise the member opposite that the Auditor General, an independent officer of this Legislature, is in there. I will be speaking with Mr. McCarter this afternoon. He has returned from overseas, and I do look forward—

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** This whole thing reeks; it really reeks. We have this minister getting up, we talk about \$15 cocktails and the taxpayers are forced to pay for it—\$1.50 for a cup of coffee when they're being paid \$60,000 a month from the taxpayers, and this minister gets up day after day and does not condemn that kind of abuse of scarce tax dollars. Something is really wrong here. I have to say, this is a brazen, brazen attitude with respect to not just the officials at eHealth but this minister as well, and the Premier, who declines to respond with respect to this abuse of tax dollars. While he's running a record deficit in the province, hundreds of thousands of people have lost their jobs under his watch. We're now a have-not province under this Liberal government's watch.

I ask you again: Why are you not doing something about this? When are you going to fire Ms. Kramer and when are you going to step down?

**Hon. David Caplan:** Contrary to what the member opposite says, no one on this side has condoned anything and no one has defended. In fact, what I would say is that I have, and I know the Premier has, expressed concern about expenses which have come to light, and that is why we have taken action. That is why we have directed the board to initiate a third party review of their practices, of management practices and of the financial expenses. I think that taxpayers would expect that we would take action as we have.

On top of that, as the member well knows, we have an independent officer of this Legislature, we have the Auditor General, who has done an exemplary job over the years to protect taxpayer interest. He has been, for quite some time, looking at the expenditures in this agency. I will be speaking with Mr. McCarter this afternoon. We're working—

**The Speaker (Hon. Steve Peters):** Thank you.



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## INJURED WORKERS

**Mr. Paul Miller:** My question is to the Minister of Labour. Yesterday was the 26th annual Injured Workers' Day, for which a rally was held in front of the Legislature. Many injured workers spoke about the way they have been treated in the workplace by being encouraged not to report their injuries so that, in the flawed experience rating program, money will flow to their employer. They talked about how they are treated at the WSIB, being left feeling like frauds and a blight on the insurance program.

I want a straight answer—no smoke and mirrors, no sidestepping the question, no talking about your safety record. When will this government finally take action to return workers to a proper compensation system?

**Hon. Peter Fonseca:** I appreciate the question from the member. It gives me an opportunity to thank the Ontario Network of Injured Workers Groups and the Women of Inspiration for their kind invitation to me to join them on the front lawn of Queen's Park yesterday to speak with them and also to listen to many of their stories. They were very difficult stories, stories of pain and suffering.

But yesterday was a day to remember all those challenges that injured workers go through and the difficulties and obstacles they must overcome: getting injuries recognized, getting compensation, adjusting to life changes dictated by that injury or illness and, of course, returning to work. What I can assure all injured workers in Ontario is that this government is working with them and for them so that they are treated with dignity, respect—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Paul Miller:** Once again, no answer. The plight of injured workers was demonstrated after yesterday's Injured Workers' Day rally by an overnight vigil in front of this Legislature. The minister told us many stories about things his ministry and the WSIB are doing for injured workers, but where are the results, Minister? If these programs were such a success, we would be seeing the outcomes, but now we see people in front of the Legislature again. I don't think it's working. Don't tell us about the 2% raise you gave them; it works out to be about \$5 a week, a heck of a lot less than the consultants are getting.

Once again, I ask the minister for a factual response to my question. I don't want another Gong Show. When is this government going to really make positive changes in the lives of injured workers, like indexing their compensation package?

**Hon. Peter Fonseca:** We remain committed to creating a brighter future for injured workers. I know the member doesn't want to hear this, but under two previous governments, from 1994 to 2006, under the Friedland formula and the modified Friedland formula, those governments only increased injured worker benefits by 2.9%, and we saw erosion of 29% through inflation.

Here is what our government has done: in 2007, a 2.5% increase; again a 2.5% increase in 2008; and in January of this year, a further 2.5% increase. We are committed to working with injured workers to provide benefits for them and to rectifying the inequities—

**The Speaker (Hon. Steve Peters):** Thank you.

## RESEARCH AND INNOVATION

**Mr. Reza Moridi:** My question is to the Minister of Research and Innovation. Here with us today in the Legislature is a group from the Youth Science Ontario Showcase, students who competed at the Ontario science fair and then went on to represent Team Ontario at the Canada-Wide Science Fair.

I would especially like to congratulate Adelina Cozma from my riding of Richmond Hill. In her project, Adelina explored the importance of how teenagers' emotions and thinking-style brains work together. Based on her own surveys, she determined the brain dominance and thinking-preference style of teenagers and examined their impact on emotional intelligence competencies, which influences behaviour towards bullying in the automotive domain.

Would the minister please outline the importance Ontario places on youth participation in science?

**Hon. John Wilkinson:** I want to thank my friend from Richmond Hill, who is himself an award-winning scientist, for the question.

On behalf of all members, I'd like to thank Youth Science Ontario and Youth Science Canada for the important work they do in fostering a love of science in young people from across Ontario and Canada. The young people who are visiting the Legislature this morning, like your constituent Adelina, are truly among a group of stellar young scientists in Ontario.

Out of the 387 projects at this year's Canada-Wide Science Fair, one third of those, 130, were from Ontario. Ontario students received over 200 awards, scholarships and honourable mentions for projects that tackled everything from biotechnology and engineering to information technology and environmental innovation. These are amazing accomplishments that we can all be proud of.

There is a reception for our young people in the St. Lawrence lounge of the Macdonald Block at 900 Bay from 1 to 4. I welcome all members to come and visit their constituents and let them know how very proud we are of them—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Reza Moridi:** An understanding of science is a fundamental part of a well-rounded education and will become increasingly important in the knowledge-based economy.

Many Ontarian and Canadian icons have participated in science fairs, including the first female Canadian astronaut, Roberta Bondar, and Research in Motion founder Mike Lazaridis.

Lazaridis has stated:

"We need to change our culture so that science and technology are seen to be the 'in' thing...."



"We need" our children "to aspire to be scientists, engineers and technologists. In the end, that will make the biggest impact on Canada's future."

I would ask the minister to explain what his ministry is doing to help foster the next generation of Bondars and Lazaridis here in Ontario.

**Hon. John Wilkinson:** If we're going to have a economy in the 21st century that's based on turning great ideas into great jobs, we need to do everything we can to ensure that the next generation of innovators, the young Roberta Bondars and Mike Lazaridis out there today, have the skills and qualifications necessary to support an innovation-based economy.

I'm particularly proud that the Ministry of Research and Innovation was able to support work like this in our 2007-08 budget, which included some \$3.5 million for Youth Science Foundation Canada, which supports our work at science fairs across Ontario, and \$1.5 million for Let's Talk Science. Each year, over 25,000 Canadian students, some 8,000 here in Ontario, compete through Youth Science Canada's regional science fairs, including 30 regional fairs here in Ontario. In the past two years, Let's Talk Science has grown to more than 300 sites across Canada and partners with some 10 of Ontario's finest universities.

It is so important for us in the future that we invest in our—

**The Speaker (Hon. Steve Peters):** Thank you.

#### ONTARIO ECONOMY

**Mr. Ted Chudleigh:** My question is to the Premier.

I'd like to take you back in time. I'd like to take you way back to last Thursday, May 28. You'll remember that the lead story of that day was the federal finance minister stating that the deficit could hit \$50 billion. On that day, the Toronto Sun ran a short article titled, "Prem Won't Revise Deficit Projections." In it, the Premier was quoted as saying, "I have no reason to believe ... based on the updates I've received from the Minister of Finance, that we aren't able to manage this." Then, yesterday, the same Minister of Finance admitted that the deficit would jump by an additional \$4.4 billion.

The auto bailout numbers were obviously available last week because the feds adjusted their numbers despite the political damage they felt it might do. As the new economic development minister, surely these numbers were also known to you.

Premier, this is not your first broken promise, but it's perhaps the fastest-broken promise. Why did you say one thing last Thursday and do another one today?

**Hon. Dalton McGuinty:** To the Minister of Finance.

**Hon. Dwight Duncan:** I think if the member reads what has transpired over the course of the last week, he will find that in fact the numbers around General Motors didn't solidify until Sunday.

He quite properly raises the fact that the federal government's deficit has grown rather dramatically, and I think he should also be cognizant of the fact that this is happening across the world—certainly across the western

world. These are very challenging times. It's part of an international financial crisis.

We have laid out a plan. As soon as we become certain about changes, we report those to the public. There will be further reporting at the usual time for the first quarter and fall statement, so that Ontarians can be kept up to date when the numbers become available.

1120

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Ted Chudleigh:** Back to the Premier: I understand why the deficit went up, but the Premier now has the grand slam of record-breaking. He has the highest tax increase in Ontario's history, he has the largest deficit in Ontario's history and he has taken this province to have-not status—the grand slam of economics. This is the stuff of legacy.

The Premier is now also the Minister of Economic Development, which means he is in charge of the auto file. Premier, in my mind, there are three possible scenarios as to why you were so wrong last week: (a) You were given bad information by the Minister of Finance; (b) you did not read or understand the information; or (c) you decided to delay telling Ontarians the facts for political expediency. Premier, which was it?

**Hon. Dwight Duncan:** This government has revised numbers at the earliest point in time practical—the first time it's happened. Once the GM numbers were solidified, we felt that, based on the outcome of that particular arrangement, it was appropriate to give greater clarity to where we saw the deficit tracking.

Since the tabling of the budget, a number of private sector economists have downgraded our forecasts for growth in the world—the Canadian and Ontario economies. We've also tried to take advantage of that, in terms of our forecast for where the deficit is.

I can undertake that we will continue to be as transparent and clear about this as we can to avoid hidden deficits of the order of magnitude—

**The Speaker (Hon. Steve Peters):** Thank you.

#### LIQUOR CONTROL BOARD OF ONTARIO

**Mr. Peter Kormos:** To the Premier: The LCBO is owned by the people of Ontario and directly accountable to the government, yet it wants to turn 2,400 permanent, full-time jobs into part-time, part-year jobs. Already, more than 60% of the LCBO's workers are casual employees, with no job security, no benefits, no hope of retiring and an average income of less than \$20,800 a year. Yet each of those workers is responsible for \$200,000 a year in LCBO profits. Why is this Premier allowing the LCBO to attack the livelihood of its own workers?

**Hon. Dalton McGuinty:** To the Minister of Finance.

**Hon. Dwight Duncan:** I first want to acknowledge the outstanding people at the LCBO and the good work they do on behalf of all Ontarians.

The member opposite is aware that collective bargaining is going on between the LCBO and the employees of



the LCBO. I would reiterate my very strong and firm belief in free collective bargaining, which is what is going on now. I hope that the two parties can continue to work together and resolve the disputes and issues that exist between them. It's an important part of our government, and again, I look forward to a successful resolution of the issues that are before the union and management today at the LCBO.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Peter Kormos:** Look, the LCBO is a crown agency. All of its profits go directly into government coffers. A strike or a lockout will cost Ontario taxpayers up to \$5 million a day in lost profits and taxes. How can this Premier sit back and simply risk this happening? Why doesn't he just tell the LCBO to stop its attack on full-time jobs and to work with OPSEU to improve the livelihoods of more than 4,000 casual workers who are struggling to make ends meet?

**Hon. Dwight Duncan:** I want to reiterate to my friend and colleague opposite that we have faith in the collective bargaining process. There are, of course, in Ontario history, times where governments have not respected collective bargaining principles. The member opposite, of course, always maintained integrity on those issues. I know that he has great faith in collective bargaining and I know that he believes in the rights of workers to organize and to bargain collectively, unlike a number of his colleagues in the past who didn't see it that way.

I look forward to the successful resolution of the issues between management and union. I have great faith in the collective bargaining process and I have great faith in the structure of laws we have that deal with situations where collective bargaining can't necessarily resolve all situations.

## WORKPLACE SAFETY

**Ms. Helena Jaczek:** My question is for the Minister of Labour. Minister, our health care workers are hard-working Ontarians who risk exposure to infectious diseases and handle potentially dangerous instruments in their jobs every day. These workers are often at risk of injury from contaminated needles. Puncture injuries can transmit serious infectious diseases such as hepatitis B, hepatitis C and HIV/AIDS. I understand that your ministry has launched a consultation concerning the use of safety-engineered needles in health care workplaces. Minister, can you please tell us about the purpose of this consultation and how it will help make the jobs of health care workers safer?

**Hon. Peter Fonseca:** I'd like to thank the member for Oak Ridges-Markham for the question, for her advocacy and her knowledge as an expert in health promotion and protection. The member is quite right: When it comes to our health care workers, they do all they can to keep us healthy and safe, and that is why we're committed to doing all that we can to protect them from potentially life-threatening diseases. Our government recognizes the importance of preventing these needlestick injuries, and that's why my ministry, along with the Ministry of

Health and Long-Term Care, launched this joint public consultation on May 27 of this year: to look into extending our needle safety regulation. Health care workplaces and services being considered for this third phase, now, of regulation include doctors' offices, blood donor clinics, home care, and ambulance services.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Helena Jaczek:** Thank you, Minister, for your response. I'm glad to hear that your ministry is moving forward with these plans to help increase protections for health care workers in this province.

You mentioned that the consultation that has just been launched is part of the third phase of your ministry's needle safety regulation. Minister, can you tell us about the first two phases of this regulation and what they have accomplished in terms of improving the health and safety of Ontario's health care workers?

**Hon. Peter Fonseca:** Again, thank you to the member for the follow-up question and the opportunity to explain what my ministry has achieved to date when it comes to improving needlestick safety.

Phase one was the original introduction of the needle safety regulation, which came into effect in September 2008. This made safety-engineered needles mandatory for all hospitals across Ontario. In phase two, which came into effect on April 1, 2009, it went a step further and mandated that the safety needle procedures came into long-term-care homes, psychiatric facilities, labs and specimen collection centres. Last fall, we announced our intention to consult with stakeholders and to extend this regulation in 2010 to additional health care workplaces. We've followed up on that.

Our goal is to ensure safe workplaces for Ontario health care workers, and we are committed to doing that—

**The Speaker (Hon. Steve Peters):** Thank you.

## INTERNATIONAL TRADE

**Mr. Ted Arnott:** My question is for the new Minister of Economic Development. Canadian manufacturers and exporters are suffering because of the buy-American provisions in the US stimulus package. On Friday, no less than 27 business leaders joined the Canadian Manufacturers and Exporters, urging the Premier to take action. They are urging him to "explore signing on to the WTO Agreement on Government Procurement and to pursue an even more ambitious agreement with the United States covering provincial/state/territorial and local governments." They are urging him to engage in urgent discussions with the federal government to support negotiations to keep US local and state markets open to our Canadian companies.

My question: Does the Premier agree with these recommendations, and why has it taken him so long to respond to this urgent and growing threat to Ontario's economy?

**Hon. Dalton McGuinty:** I think my colleague raises some very legitimate concerns. I haven't seen the specific report put forward by this group of business people,



although I read about it this morning, but I can say that it is something that has preoccupied the Ministry of Economic Development and my office for some time. Recently, I was—well, just a couple of weeks ago—in New York City and had an opportunity to meet with Governor Paterson, the representative of New York state itself. I expressed some concerns about buy-America provisions and reinforced for the governor just how important it is for us to keep those borders open to trade back and forth, because there are so many—in fact, there are thousands and thousands of families on the US side that depend upon trade with Ontario. So we will continue to find ways to reach out to our colleagues south of the border, particularly our Great Lakes state governors, to reinforce with them the message they have to deliver to Washington that we've got to keep those borders open to our trade.

1130

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Ted Arnott:** I raise with the Premier the case of Hayward Gordon in Halton Hills. I toured John Hayward's plant on Friday. Because of the buy-American provisions, Hayward Gordon is already being shut out of bidding on US contracts. The need to take action to protect these jobs has been covered extensively in major Canadian news media and even the Washington Post, yet the McGuinty government was unprepared for this trade crisis. Almost three months ago I raised this issue with the former Minister of Economic Development and the Minister of International Trade. I spoke in this House and even wrote to a United States congressman that I know. Again I ask the Premier: At this critical moment, what specific, meaningful action is this government finally prepared to take to help Ontario's exporters?

**Hon. Dalton McGuinty:** I note that the report comes from the Canadian Manufacturers and Exporters. I see that my honourable colleague is in favour of the position they've taken on this particular matter, but he's apparently not in favour of the position they've taken with respect to the importance of moving ahead with a single sales tax.

But notwithstanding that, I think what we need to do is work with our federal government and make still stronger representations, not just to individual Premiers and their counterparts on the other side of the border, and through our businesses to businesses on the other side of the border, but from Ottawa to Washington, so that we can not lose sight of the lessons that we learned at the time of the Great Depression. There were initiatives pursued at that point in time, particularly by the Americans, to insulate themselves, to isolate themselves, and they paid a price for that. We are all in this together. It's important that we continue to find ways to trade together and to grow stronger together.

#### ANTI-SMOKING PROGRAMS

**M<sup>me</sup> France Gélinas:** Ma question est pour la ministre de la Promotion de la santé. Yesterday my office

was flooded with letters from youth across Peel region who are angry and upset that the government has decided to terminate funding for youth-led anti-tobacco initiatives. These youth know first-hand how important the Youth Action Alliance is to their community and to the anti-tobacco efforts. As explained by one of their letter writers, this program has "youth from all across Ontario planning events and presentations, attending conferences, writing letters and so much more to prevent other youth from falling under the tactic of the tobacco industry." They are doing basic health promotion initiatives to prevent youth from picking up smoking. Can the Minister of Health Promotion explain why the funding for this life-saving program has been terminated as of the end of August?

**Hon. Margaret R. Best:** First of all, I would like to take this opportunity to welcome all the young people from the Youth Action Alliance who are at Queen's Park today. I also want to say that I'm pleased to see these young people out there exercising their democratic right. Combatting tobacco-related illness is certainly a priority for the McGuinty government, and we continue to focus on preventing youth from starting to smoke, and getting the ones who have started to stop smoking. We have invested approximately \$37 million in innovative programs designed to prevent children and youth from starting to smoke. We have learned valuable lessons from the YAA program, and these lessons are what will help us to shape the future for youth engagement throughout the province of Ontario. It is imperative that we build on past successes and move forward with a comprehensive approach that includes all Ontarians, including our children and our youth.

**The Speaker (Hon. Steve Peters):** Supplementary?

**M<sup>me</sup> France Gélinas:** There seems to be a disconnect there. The minister understands that it is important to invest in those kinds of health promotional efforts, she understands that we have to do something about the rate of smoking by our youth, yet she cuts the funding to the program that is designed to do this. There's something there that I don't understand. The hundreds of youth who wrote to both you and me and the ones who are here today at Queen's Park wishing to meet with you know the importance of this program, they know the importance of this funding, and this funding needs to continue past August 31. I talked to people in Sudbury. Michelle McGraw, from the Sudbury and District Health Unit, who is leading the francophone group in Sudbury, has a very successful youth group. They are active, knowledgeable, energetic and credible with their peers. They make a difference.

My question is simple: Minister, will you commit today to guaranteeing the continuing funding of this program so that youth across this province stay tobacco-free?

**Hon. Margaret R. Best:** I would like to tell the member opposite that we will move forward and we will continue to engage our youth, not just with respect to anti-tobacco but also with respect to other health pro-



motion initiatives. We will continue to work with our youth and we will continue with our youth engagement working group to look at more effective and innovative ways to reach out to Ontario youth. We will continue to work with them and we will continue to look at new programs to improve the outcomes for youth relating to health promotion in the province of Ontario.

**The Speaker (Hon. Steve Peters):** The time for question period has ended.

There being no deferred votes, this House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1136 to 1500.*

## INTRODUCTION OF VISITORS

**Mr. Kim Craitor:** I'm pleased to introduce some special guests who have taken the time to come up here today. I have with us today in the east gallery Gordon West, who's the chair of the Niagara Falls Board of Museums. Thank you, Gordon.

We also have Vince Del Buono, who's CEO of the Niagara 1812 Legacy Council.

Finally, Mr. Speaker, I've taken the liberty of going back in time and bringing some special guests out from the past who are here. We used a time wormhole to do this. We have with us Laura Secord, whom we affectionately know as Kathleen Powell, the manager of the City of Niagara Falls Museums.

As well, I was able to bring back two of the original soldiers involved in the War of 1812. They've taken the time to come here as well. We have with us Grant Jackson, who's a volunteer at the Niagara Falls Museum and, as well, Kevin Windsor, who's the curator for the Lundy's Lane Historical Museum.

**Ms. Helena Jaczek:** I'd like to introduce in the west members' gallery Mr. Kirk Corkery, my constituent and chairman of the board, St. John Council for Ontario, St. John Ambulance.

At this time, I would like to ask for unanimous consent that we wear a pin commemorating the 125th anniversary of St. John Ambulance in Ontario.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

I'd just thank the member from Niagara Falls for bringing his guests here today. I would just say to Laura Secord, you should take an opportunity and go up to the third floor and see the most interesting portrait of Laura Secord. Make sure you read the little history beside it; you'll find it most interesting.

## MEMBERS' STATEMENTS

### CANADA DAY PARADE

**Mr. Gerry Martiniuk:** I rise today to recognize the hard-working volunteers of my community who organize the annual Cambridge Canada Day parade, which is the largest Canada Day parade in Canada. This year, we celebrate its 35th anniversary.

Parade chairperson Jacqueline Murray is joined in the effort by Craig Hyde, Dave Weber, Dave Angus, Ceri Rutland, Kevin Burnett, Nichole Fogarty and city of Cambridge employees Elaine Downton and Chris Ziemski.

A reception is held prior to the parade, hosted by Danny Katsorov and Shirley Murdoch, two very active and committed volunteers in my riding.

The parade will feature 12 marching bands, including the Preston Scout House Band, the Toronto Optimist Drum and Bugle Corps, the Welland Bellerophon Navy Band, the Toronto Filipino Band, Traces Steel Band, the Ramsey Waterloo Oriental Band, the Navy League Cadet Corps, the Toronto Tian Guo Band, the Toronto Signals Band, the Royal Highland Fusiliers and the Ayr-Paris Band.

The parade will also feature 10 floats, several military factions, 15 Shriner groups, the Red Hat Society, the Canadian Harvard Aircraft Association and 60 other groups and organizations.

The Cambridge Canada Day parade is attended by thousands of people who come together to celebrate their heritage and be part of Canada's birthday party.

### BREAD AND HONEY FESTIVAL

**Mr. Bob Delaney:** I rise today to invite all Ontarians to one of Mississauga's marquee events. Streetsville's Bread and Honey Festival will take place this coming weekend, June 5, 6 and 7. This annual festival originated in 1973 and was originally to highlight commerce in Streetsville.

Timothy Street, Streetsville's founder, established the first flour mill in the area. It was only natural that the Bread and Honey Festival emerged when local apiaries combined their product with that of the milling companies, to bring the community together each June.

Come and visit historic Streetsville for the Bread and Honey Festival. You can watch the parade from Queen Street on Saturday morning; participate in Councillor George Carlson's fishing derby on the Credit River on Sunday; visit the Habitat for Humanity playhouse; eat pancakes, served by me, on Sunday morning in Vic Johnston arena; and listen to local musicians at the mainstage.

The Rotary Club of Streetsville's consumer market can't be missed, and it runs all weekend. Try some bread and honey in the Streetsville Memorial Park, and say hello to me at my booth in the Vic Johnston arena at Streetsville's annual Bread and Honey Festival. It's going to be amazing.

### CITY OF BURLINGTON

**Mrs. Joyce Savoline:** I rise in the House today to proudly share the news that MoneySense magazine has named Burlington the fourth-best city in Canada and the top municipality in which to live in the GTA. That's fourth out of 154 communities that were measured. MoneySense rates communities on 24 indicators, and they're tough markers.



Burlington is beautiful. You can drive along the edge of Lake Ontario, hike the magnificent escarpment, enjoy festivals and farmers' markets showcasing our rich tradition in agriculture, bike the trails, play sports, and enjoy culture, recreation and the world-famous Royal Botanical Gardens.

Burlington has an incredible community spirit, and the proud people of Burlington are our greatest resource.

Even our weather is perfect.

But much of what is measured is invisible to the tourist's eye: a stable and diversified economy, low crime rate, low unemployment rate, and dedicated and highly qualified health care and education professionals.

When it comes to factors most likely to affect long-term happiness, Burlington comes out shining.

We are nestled between two great cities—Toronto and Hamilton—and Niagara wine country is a 30-minute drive away.

MoneySense reported what we have always known in Burlington, and that is that Burlington is a great place to work, live and raise a family.

#### GLENN AND JEAN COCHRANE

**Mr. Michael Prue:** I rise to commemorate two local Beach residents, Glenn Cochrane and his wife, Jean Cochrane, who have just published a book called *The Beach*. On May 20, they had a book launch. Both Glenn and Jean are award-winning authors in their own right, but I believe that this is the first time they have actually collaborated on a book.

The book about the Beach is filled with anecdotes and stories of a unique and colourful community that we are very proud of. I know you're not supposed to have a prop, but I have a copy with me. It's a wonderful book, and as you read it, you will be regaled with tales of Kingston Road, the exploits at the Balmy Beach Club, swimming in the lake, the racetrack that was once at Woodbine and Queen, the amusement park daredevil pilots, the boardwalk, and all of the other things that make the Beach an absolutely unique community.

On the back of the book are these few words, and I think they sum it up brilliantly: "The Beach is a conversational historical tour of a unique Toronto neighbourhood and an introduction to the individuals who have helped define it over the past two centuries, from 19th-century tent dwellers to today's proud and established community. With over 120 archival photos, readers can share in the Cochranes' delightful discoveries."

It is available at bookstores throughout the Beach. I invite people to come by, buy a copy and learn all about our wonderful community.

Congratulations to both Glenn and Jean.

#### McHAPPY DAY

**Mr. Vic Dhillon:** I rise to describe my experience with McDonald's Canada and its initiative to help Canadian children in need.

I had the opportunity to attend the annual McHappy Day fundraiser on May 6, where I worked alongside employees and volunteers in an effort to donate a portion of sales to children's charities across Canada. Part of the proceeds from this location were donated to the Brampton Civic Hospital's newborn unit.

This day should be given special attention because collaboration between McDonald's Canada and community members provides sick children and their families with a roof over their heads while the children are being treated in the hospital.

Since 1977, this annual fundraiser has donated almost \$26 million to charities across Canada. These include the Ronald McDonald House Charities, the Ronald McDonald House program and local children's charities.

1510

On this day, McDonald's Canada opens up its heart and wallet and seeks to give back to the communities that it serves. This is what I would call truly making a difference.

Once again, I would like to congratulate McDonald's for enhancing the lives of many children across Canada through McHappy Day. I am looking forward to participating in next year's event.

#### STEVEN BRIGHT

**Mr. Ted Chudleigh:** I rise today to congratulate, honour and support Steven Bright of Oakville and all the national riders who will be cycling across Canada to raise awareness and funds for children who are struggling with cancer.

As part of the Sears National Kids Cancer Ride, Steven and 35 other Canadians, nine of whom are from Ontario, will set out from Vancouver on June 13 and arrive in Halifax on June 24. They will be stopping along the way to talk to people about childhood cancer and what they can do to help.

There will be several ride-along stages where local cyclists can join in for an hour or even a whole day. For instance, on June 20, the riders will be going from Woodstock to Toronto. I encourage all Ontarians who live along that corridor to go out and support the national riders, whether through donations, by riding along or by simply cheering on these Canadian heroes.

At any given time, there are approximately 10,000 Canadian children living with cancer, but with amazing and noble people like Steven Bright and the national riders, through the generosity of all Canadians and with the help of our outstanding medical community, we hope to see that number greatly reduced in the future.

Congratulations, Steven, and good luck.

#### SCIENCE FAIR

**Mrs. Carol Mitchell:** I rise in the House today to congratulate three outstanding students from my riding on a wonderful achievement. Victor Kloeze, Jacob



McGavin and Allison Underwood recently returned from the Canada-Wide Science Fair in Winnipeg, where they received awards for their outstanding science projects.

Victor, Jacob and Allison are joined by 36 bright Ontario junior scientists who did Ontario proud by bringing home top prizes. This year's successful projects reflect a wide variety of subjects, including electrical voltage, human mobility, evolution and solar power, just to name a few.

These young men and women were chosen to compete at the Canada-Wide Science Fair from the top ranks of approximately 25,000 competitors at over 100 regional science and technology fairs staged across the country.

The brilliant work of these young scientists is on display today at the Macdonald Block as part of the annual Youth Science Ontario Showcase. I'm looking forward to seeing first-hand the work of Ontario's next generation of scientific leaders and I encourage all members to witness the work of these bright young people.

I ask this House to join me in congratulating these exceptional young people on their recent achievements, and I would remind the House and the members that these are names, McGavin and Underwood, that we have heard in this House many, many times for all their achievements.

#### ST. JOHN AMBULANCE

**Ms. Helena Jaczek:** I rise to recognize an organization that has long had a significant presence in my riding of Oak Ridges–Markham and across Ontario.

On June 24, St. John Ambulance celebrates 125 years of service in Ontario. This anniversary provides us with an excellent opportunity to celebrate its history and voice our appreciation for the invaluable service it has given the citizens of Ontario.

St. John Ambulance issued its inaugural first aid training certification in 1884 at Kingston's Royal Military College and has maintained its vision to enable Canadians to improve their health, safety and quality of life by providing training and community service ever since.

Today, St. John Ambulance volunteers are a familiar sight in all of our communities. They deliver first aid and CPR training courses, medical first response services, therapy dog services and youth programs. St. John Ambulance's 25,000-plus volunteers across Canada deserve our heartfelt thanks.

In my constituency, we are served by the York region chapter, founded on September 1, 1991, which is spearheaded by board chairman Ian Miller and vice-chairman and York region police chief Armand La Barge.

I wish to congratulate the chair of the St. John Council for Ontario, Kirk Corkery, for this most auspicious milestone in public service to Ontarians.

#### ITALIAN REPUBLIC DAY

**Mrs. Laura Albanese:** Today, June 2, is Italian Republic Day, which marks the republican and con-

stitutional foundations of the modern Italian state. This official public holiday is celebrated in Italy, and by Italian communities throughout the world, to reflect on the country's transition to peace and democracy following the devastation of World War II.

It was on this day back in 1946 when the Italian people voted to abolish the monarchy and endorse a republic. The event is also considered a milestone because, for the first time ever, women were allowed to vote. Two years later, on June 2, 1948, the Italian Constitution was adopted, guaranteeing the rights and freedoms of all citizens.

La Festa della Repubblica Italiana marks a key moment in the civic evolution of the country; from Roman times, through the Middle Ages and the Renaissance, to Italy's unification and the development of a national identity. Over the decades, thousands of Canadians of Italian origin have made vast contributions to the social and economic fabric of Ontario, and celebrating this day here at Queen's Park recognizes the contributions of the Italian community while also strengthening Canada's friendship with Italy.

Earlier this morning, I had the privilege of joining the Consul General of Italy, Dr. Gianni Bardini, along with several of my caucus colleagues in raising the Italian flag in front of our Legislature to celebrate the historic occasion. Buona Festa della Repubblica.

#### REPORT, INTEGRITY COMMISSIONER

**The Speaker (Hon. Steve Peters):** I beg to inform the House that today I have laid upon the table a report from the Acting Integrity Commissioner entitled Report of the Review of Expense Claims Covering the Period April 1, 2008 to March 31, 2009 pursuant to the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act, 2002.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr. Jim Brownell:** Speaker, I beg leave to present a report from the Standing Committee on General Government and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill, as amended:

Bill 167, An Act to promote reductions in the use and creation of toxic substances and to amend other Acts /  
Projet de loi 167, Loi visant à promouvoir une réduction de l'utilisation et de la création de substances toxiques et à modifier d'autres lois.

**The Speaker (Hon. Steve Peters):** Shall the report be received and adopted? Agreed? Agreed.

*Report adopted.*



**The Speaker (Hon. Steve Peters):** The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### FAR NORTH ACT, 2009

#### LOI DE 2009 SUR LE GRAND NORD

Mrs. Cansfield moved first reading of the following bill:

Bill 191, An Act with respect to land use planning and protection in the Far North/ Projet de loi 191, Loi relative à l'aménagement et à la protection du Grand Nord.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement?

**Hon. Donna H. Cansfield:** I will make my statement during ministerial statements.

### ST. JOHN AMBULANCE DAY ACT, 2009

#### LOI DE 2009 SUR LE JOUR D'AMBULANCE SAINT-JEAN

Ms. Jaczek moved first reading of the following bill:

Bill 192, An Act to proclaim June 24 in each year as St. John Ambulance Day/ Projet de loi 192, Loi proclamant le 24 juin de chaque année Jour d'Ambulance Saint-Jean.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Ms. Helena Jaczek:** The Most Venerable Order of the Hospital of St. John of Jerusalem, familiarly known as St. John Ambulance, is a worldwide, non-denominational, charitable organization dedicated to the service of others. Its roots date back to the 11th century, and the organization and its volunteers have been serving Ontario communities since the inaugural first aid course in 1884 in Kingston.

It is fitting to name June 24 in each year to commemorate St. John Ambulance and its over 125 years of service to Ontarians, as it continues to pursue its mission statement: "to enable Canadians to improve their health, safety and quality of life by providing training and community service."

1520

### 1516495 ONTARIO INC. ACT, 2009

Mr. Ramsay moved first reading of the following bill:  
Bill Pr18, An Act to revive 1516495 Ontario Inc.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

### BICENTENNIAL

#### OF THE WAR OF 1812 ACT, 2009

#### LOI DE 2009 SUR LE BICENTENAIRE DE LA GUERRE DE 1812

Mr. Craitor moved first reading of the following bill:

Bill 193, An Act to designate the red geranium as the floral emblem of the Bicentennial of the War of 1812 / Projet de loi 193, Loi visant à désigner le géranium rouge comme emblème floral du bicentenaire de la Guerre de 1812.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement?

**Mr. Kim Craitor:** This bill designates the red geranium—just in case—it's not a prop; it's a red geranium.

**The Speaker (Hon. Steve Peters):** Yes, it is a prop.

**Mr. Mike Colle:** Throw him out.

**Mr. Kim Craitor:** "Throw him out." That's a nice thing to say to your own member.

This designates the red geranium as the floral emblem of the bicentennial of the War of 1812. The War of 1812 affected nearly every part of Ontario. The battlefields from the war still remain intact throughout Ontario as a reminder of this historic event.

One of the bloodiest battles ever fought in Canada, the Battle of Lundy's Lane, took place on July 25, 1814, in Niagara Falls. Ruth Redmond, UE, fought throughout her lifetime to preserve the historic battlefield, planting more than 700 red "Loyalist" geraniums on her property every year in memory of the fallen soldiers. Upon her death 10 years ago, her home and five properties were donated to the city of Niagara Falls.

Designating the red geranium as the floral emblem of the bicentennial of the War of 1812 would be a tribute to those who died in the War of 1812. It would also give life to the province's upcoming bicentennial celebrations which will be taking place in 1,111 days from now.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Monique M. Smith:** I believe we have unanimous consent to put forward a motion without notice regarding private members' public business

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.



**Hon. Monique M. Smith:** I move that, notwithstanding standing order 98(b), the following change be made to the ballot list of private members' public business:

Mrs. Munro and Mr. Marchese exchange places, such that Mrs. Munro assumes ballot item number 32 and Mr. Marchese assumes ballot item number 24.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

## STATEMENTS BY THE MINISTRY AND RESPONSES

### LAND DEVELOPMENT

**Hon. Donna H. Cansfield:** The far north of Ontario is without question one of the last great, undeveloped spaces on our planet, a boreal landscape that is so vast that it takes in a staggering 42% of Ontario's land base. Situated north of the 51st parallel, this beautiful and remote region of our province contains the largest intact forest in Canada and the third-largest wetland in the world.

The far north is home to hundreds of species of birds, plants and wildlife. It plays a key role in mitigating the effects of climate change by acting as a giant carbon sink, and its abundant natural resources have the potential to provide a sustainable and more prosperous future for its people and communities, as well as economic benefits for the province as a whole.

I am proud to rise in the House today to introduce proposed legislation that would allow for the permanent protection of at least half of the 450,000 square kilometres that make up this vast and diverse region of our province. The proposed Far North Act would place Ontario among world leaders in boreal protection and represent the largest land protection commitment in North America to fight climate change. It would also set the stage for carefully managed sustainable resource development in the far north, with the requirement that development benefit local First Nations and take into consideration ecological and cultural values.

This ambitious and unprecedented legislation proudly signals a new working relationship between Ontario and First Nations that establishes a true partnership around local land use planning. First Nations people make up more than 90% of the far north's population of 24,000 people, and they live mainly in remote, fly-in communities. They have been waiting long enough for the opportunity to say how the land around their communities will be developed. The community-based land use planning process enabled by this legislation would give local First Nations a leadership role in approving land use decisions that affect their traditional lands, their culture and their quality of life, and it goes hand in hand with the goals of the resource benefits sharing commitment recently announced by Minister Duguid.

Community-based land use planning would determine areas to be protected and identify areas for sustainable economic development. The result would be much-needed clarity and certainty for industry about how and where sustainable development of natural resources such as forests, minerals and renewable energy may take place in the far north. By supporting the sustainable development of these untapped resources, we would begin to address the serious economic and social needs of far north First Nations communities and open the door to a brighter future for their young people.

All land use planning decisions under the proposed legislation would, of course, take into consideration, and harmonize with, the goals of other Ontario government initiatives that might affect the north, such as the northern growth plan, the Green Energy and Green Economy Act, the Mining Act modernization, resource benefits sharing with aboriginal communities, and the Endangered Species Act.

The legislation I'm putting forward today is the result of many months of co-operation and dialogue among the province, First Nations, resource industries, scientists and environmental groups.

The Ontario government has been working with the Nishnawbe Aski Nation, through the Oski-Machiitawin land use planning technical table, to develop principles and processes to guide far north land use planning.

We have also benefited from the knowledge and contribution of local far north First Nations communities, and I'm glad to say that we have some of the representatives from those communities with us today.

I must acknowledge, as well, the valuable input we've received from the members of the far north advisory council and the far north science panel, some of whom are here in the gallery as well. These advisory bodies provided essential perspectives from both environmental and resource industry positions, and worked with great diligence and commitment to increase our understanding of the many complex issues we need to address in the far north.

Of course, thanks must go to the fantastic staff at my ministry who have worked so hard to bring all of this together. I'd like to acknowledge in particular the associate deputy minister, David de Launay.

The far north is well beyond our road and rail system, making it an area of the province that few Ontarians will ever see first-hand. However, everyone in Ontario has much to gain from the passing of this legislation, and much to lose if we miss this opportunity to protect the natural values and unique ecology of the far north while providing opportunities for sustainable development, because regardless of where we live in the province, we all benefit from the region's capacity to reduce the effects of global climate change and to protect and conserve Ontario's biodiversity. The far north's immense boreal landscape of trees, soil and peat absorbs more than 12 million tonnes of carbon from the air every year and currently stores 97 billion tonnes, making the region key to the success of Ontario's climate change strategy.



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The far north also provides nesting grounds for millions of migratory birds, and its variety of habitat support more than 200 sensitive species, including Ontario's only populations of polar bears, beluga whales and snow geese.

The proposed legislation would allow us to preserve this rich wealth of biodiversity and to ensure the landscape maintains its natural capacity to act as a global carbon sink.

As the Minister of Natural Resources, I'm fortunate to have had a number of opportunities to visit the far north. I have enjoyed the warmth and the gracious hospitality of its people. I've even been on the ground studying polar bears on the shores of James Bay with one of my ministry's biologists, Dr. Marty Obbard. I've never experienced a wilderness landscape so vast and so varied, with such unspoiled and such extraordinary natural beauty. But we know that the far north won't stay that way unless we make sure that all future development is sustainable and carefully planned to support our environmental goals.

I am confident that the commitment this government shares with First Nations to balance protection with development in the far north will have lasting rewards for Ontario's environment, our economy, our climate and the northern way of life. The bold and forward-thinking legislation I'm introducing today builds on that commitment and, if passed, would be of enormous benefit to all Ontarians—not just today, but also into the future.

#### SEXUAL HARASSMENT AWARENESS WEEK

**Hon. Deborah Matthews:** I stand in the House today to recognize this week as Sexual Harassment Awareness Week. In 2007, our government declared the first week of June Sexual Harassment Awareness Week to raise awareness about sexual harassment and to honour the memories of all women who have experienced it—women like Theresa Vince and Lori Dupont, whose untimely and tragic deaths remind us of the shocking consequences that can follow when sexual harassment goes unchecked.

This week provides us with an opportunity to learn how to identify sexual harassment and what to do to stop it. It's a time to remind ourselves that sexual harassment is a human rights violation.

Sexual harassment is not okay. It's not a joke. It's not harmless fun. It can make you feel embarrassed, offended, intimidated or unsafe. So if you see or hear sexual harassment happening to a friend or colleague of yours, stand up and speak out. If you experience sexual harassment at home, in your school, in your community or in your workplace, don't be afraid to say, "That comment is inappropriate. Please don't do that anymore."

There are steps you can take to make it stop. You can talk to someone, a friend or a co-worker you trust. You might feel confused or worry that you are making a big deal out of nothing, but don't ignore it; it may not stop. Get information. You need to know your rights and your

options for actions. Find out if your school or your workplace has a policy on sexual harassment.

The Ontario Human Rights Commission tells us that sexual harassment is when someone bothers us by saying or doing unwanted or unwelcome things of a sexual or gender-related nature. While sexual harassment can happen to anyone, including between members of the same sex, it is most often committed by men against women. Sexual harassment, like other forms of sexual violence, reflects the inequality between men and women in our society.

As Michael Kimmel states in the book *Transforming a Rape Culture*, "women and men often experience the same event differently. Men experience their behaviour from the perspective of those who have power, women from the perspective of those upon whom that power is exercised." While the man may view his comments as expressing sexual interest or as simply making a harmless joke, for the woman, the man's remarks can cause stress or anxiety about her job.

Myths around sexual harassment make it harder for men and women to end sexual harassment. For example, it's simply wrong to suggest that sexual harassment and flirting are the same thing. They are not. Flirting is consensual; sexual harassment is not. Sexual Harassment Awareness Week is an important opportunity to dispel this and other myths.

We need strong women for a prosperous Ontario, and in this economic climate more than ever, we need our businesses to prosper. Women need to feel safe and respected in the workplace.

In April, my colleague the Minister of Labour introduced amendments to the Occupational Health and Safety Act to address violence and harassment in the workplace. If passed, this legislation will require employers to put in place policies and programs to address workplace harassment, including sexual harassment. We continue to invest in a wide range of community-based initiatives aimed at promoting healthy equal relationships among children and youth.

For those Ontarians who are victims of sexual harassment, I encourage you to call the Assaulted Women's Helpline, the Ontario Human Rights Commission or your local sexual assault rape crisis centres. As we mark Sexual Harassment Awareness Week, let's all commit—men and women—to ending sexual harassment in Ontario.

#### NATIONAL TOURISM WEEK SEMAINE NATIONALE DU TOURISME

**Hon. Monique M. Smith:** I'm delighted to rise today to celebrate National Tourism Week, which started yesterday and runs from June 1 to June 7. My niece and nephew Kate and Michael are at home with Grandmama celebrating tourism week as well and watching. Hello to them.

Here in Ontario, Tourism Week plays an important role in attracting public attention and awareness of all the



amazing festivals, events, attractions and experiences this province has to offer. Ontario is fortunate to have what today's tourism consumer wants: spectacular natural beauty, outdoor adventure, pristine rivers and lakes, unique festivals and events, wine and culinary experiences, cosmopolitan cities and authentic cultural and heritage attractions. On the occasion of Tourism Week, I encourage Ontarians to take a "staycation" in Ontario to visit what's in their own backyard and rediscover all the great experiences and attractions our province has to offer. "Staycations" are a growing trend and a budget-friendly choice for many Ontarians, and they support local economies by keeping our travel dollars in Ontario.

Cet été, les familles ontariennes peuvent aller voir une pièce de théâtre de classe mondiale au festival Shakespeare de Stratford, assister à des spectacles extraordinaires au festival Luminato de Toronto, faire un voyage vinicole et culinaire dans la région de Niagara, visiter le marché des agriculteurs à St. Jacobs, assister aux cérémonies spectaculaires du crépuscule au Fort Henry, ou se détendre dans un des nombreux chalets situés au bord d'un des nombreux lacs du nord de l'Ontario. En fait, nous savons que de plus en plus d'Ontariennes et d'Ontariens voyagent déjà en Ontario.

In fact, we know more Ontarians travel within Ontario. Our award-winning There's No Place Like This campaign to encourage Ontarians to travel within their province has been incredibly successful. We've experienced significant growth in this market, an almost 5% increase in domestic tourism in all of 2007 over the previous year. The campaign was so successful that it was given the 2008 Marketing Campaign of the Year award at the National Awards for Tourism Excellence by the Tourism Industry Association of Canada. We've also recently launched our new television ads featuring singer-songwriter Justin Hines, who appears on the front page of the Toronto Sun today, which profile many of the wonderful things to do and see in Ontario.

J'ai le plaisir d'informer cette Chambre que pendant cette semaine, les 18 Centres d'information touristique de l'Ontario organisent des journées portes ouvertes dans toute la province pour mettre en valeur ce que l'Ontario offre, pour encourager les Ontariennes et les Ontariens à songer à prendre leurs vacances chez soi, en prévoyant de partir à la découverte de la province cet été.

In fact, I was at the travel information centre in Barrie earlier this morning with Mayor David Aspdon and our tourism partners celebrating tourism week and all that Barrie and area has to offer. Ontario travel centres play an important role in informing the public of all that the province has to offer our visitors from near and far, thereby enhancing local economies, generating additional spending and extending a visitor's length of stay. In 2008, travel centres helped 1.2 million visitors plan their vacations in Ontario and responded to almost half a million other inquiries.

Ontario has to offer and encourage Ontarians to consider the idea of a "staycation" by making plans to explore the province this summer. Through the creation

of our Celebrate Ontario campaign, we are also working hard as a government to show our commitment to assisting our festivals and events across the province as they grow as our economic drivers. This year alone, we have invested \$11 million to support 224 festivals and events, an increase of 150% over last year. By enabling community events to grow and offer more, we are helping them reach new audiences, create more jobs and generate more economic activity.

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Also through the 2009 budget, the McGuinty government is making significant investments in the tourism sector by allocating an additional \$41 million over three years to enhance Ontario's attractions. These investments include \$33 million for revitalization projects associated with Huronia Historical Parks—which had a presence this morning in Barrie at the tourist information centre—and the St. Lawrence Parks Commission; and \$8 million for infrastructure improvements at Fort William Historical Park in Thunder Bay.

To date, the ministry has also invested a total of \$760,000 to help communities plan and organize the War of 1812 bicentennial celebrations. This funding has been allocated to the six celebration communities, including Niagara, and today we have Vince Del Buono and some of his team from the Niagara Falls region, and we're thrilled that they're here today.

*Applause.*

**Hon. Monique M. Smith:** Thank you very much. They're here to celebrate the member from Niagara's private member's bill, but what happy serendipity for us.

We've also allocated funding to the others of the six celebration communities: Toronto, St. Lawrence, Windsor, Chatham, Georgian Bay and Sault Ste. Marie.

Meanwhile, in conjunction with our partners, we are also working to enhance our tourism workforce, because doing so is vital to the success of Ontario's tourism industry and its competitiveness. We've been working with the Ministry of Training, Colleges and Universities to further advance the hospitality and tourism sector programs in our educational institutions. Those working in the hospitality industry are among the first faces seen by visitors to Ontario, so we are focused on ensuring that we attract, train and retain a highly skilled workforce to ensure we are meeting the highest standards.

I would like to call on all of my colleagues to join me in celebrating the outstanding achievements and hard work of our tourism partners during Tourism Week.

J'invite mes collègues à se joindre à moi pour célébrer les réalisations exceptionnelles et les efforts inlassables des partenaires du secteur touristique durant la semaine du tourisme.

Their efforts help provide economic growth and job opportunities in all of our communities across the province. They are passionate ambassadors for Ontario, and I'm proud of the work they do.

On behalf of our partners, the thousands of great tourism ambassadors of Ontario, I invite all Ontarians to enjoy a "staycation" in the province this summer. Enjoy



the sunsets of sunset country; visit the polar bears up north; dip your toes in Trout Lake; paddle in Algonquin Park; go tubing in the Ottawa River and fishing in the Grand River; be entertained at Shaw, Stratford, Drayton or Elora; be awed by Niagara Falls; dance at Caribana; groove at the Ottawa Bluesfest; or visit Toronto for a night on the town.

There is so much to see and do in Ontario, because there really is no place like this.

**The Speaker (Hon. Steve Peters):** Statements by ministries? Responses?

#### LAND DEVELOPMENT

**Mr. Norm Miller:** I am pleased to respond to the Minister of Natural Resources in the short time I have available. Our MNR critic, the member from Oshawa, is not here this afternoon, so I would like to pass on his feeling about the new Far North Act.

The one point he wanted me to make was that a number of the outdoor groups—the Ontario Federation of Anglers and Hunters, the Ontario Fur Managers Federation—have not been consulted on this new act, so I expect that the government is going to seek input from those groups.

This bill is required for the new mining modernization act and deals with community-based land use planning in the far north, which can be a benefit for First Nations.

The only point I would like to make is that, in terms of the mining that will be allowed, they allow the prospecting to occur everywhere across the north, or just about everywhere, but deal with where the actual mine would go, which is a very tiny footprint, through the community-based land use planning.

I know that two other critics would like to add some comments, so I will end there.

#### SEXUAL HARASSMENT AWARENESS WEEK

**Mrs. Julia Munro:** I'm happy to rise on behalf of the Progressive Conservative caucus to speak to the very important issue of sexual harassment.

As we know, sexual harassment can occur at home, at work, at school or in a social situation and is perpetrated in such a way that can be overt, but it can also be subtle and complex, building over time through a series of repeated offences.

It is important that we educate ourselves and our children about the realities of sexual harassment, through awareness campaigns and other efforts, so that we can ensure that Ontarians are equipped with the knowledge and the resources to protect themselves.

One in two women will report that she has been harassed in her workplace.

Like sexual abuse and assault, the effects of sexual harassment are not only physical but can manifest themselves in all areas of a victim's life. These effects are all interrelated and can include trouble sleeping, illness, substance dependence, depression, fear, hopelessness and

degradation. The fact is that stopping sexual harassment is the key to preventing sexual violence and assault.

Working together, we must ensure that this awareness campaign continues unofficially all across Ontario for as long as is necessary and send a message to those who perpetrate these offences that this type of behaviour will not be tolerated in Ontario.

#### NATIONAL TOURISM WEEK

**Mr. Ted Arnott:** Something like 300,000 Ontario workers depend on a strong and vibrant tourism industry. It is, after all, a \$22-billion industry, and its importance to our province must never go unnoticed.

Unfortunately, the McGuinty government has offered little more than false hope to an industry that deserves so much better. Most recently, the McGuinty government decided to hike sales taxes in the midst of this extreme economic challenge we face today.

It would appear that this minister remains oblivious to industry concern, even outrage, over the Dalton sales tax—this, on top of the unrest over their government-knows-best approach to tourism regions, which is already starting to unravel. In fact, the minister didn't even mention the Sorbara report in her statement, and of course for the last couple of years we were told that that would solve all the problems.

As for the destination marketing fees, the Sorbara report suggests that \$100 million must be raised to sell Ontario as a place to visit. The budget provided only \$40 million, which is actually less than the existing system collects. It's a cut of some \$5 million.

In short, this government squandered the industry's goodwill just as quickly as it squandered our opportunity to showcase our great province to the world.

Today the Minister of Tourism issued a press release touting the "stay-cation." Obviously, we in Ontario are fortunate to live in a place which has so much to offer right here at home, but we don't need a press release to tell us that. What we need is a meaningful, comprehensive strategy to bring the world to Ontario. We need a strategy to overcome border obstacles to bring Americans back. Above all, we need a government that listens to the industry, the people who know tourism best, instead of one that imposes top-down solutions and new taxes that won't help.

Despite significant challenges, we know that this is a resilient industry. I'm confident that with a change in government in just over two years, Ontario tourism will emerge stronger than ever in 2011.

**The Speaker (Hon. Steve Peters):** Responses?

**Mr. Gilles Bisson:** I look forward to that change and having the first woman Premier of Ontario, Andrea Horwath, at the helm on those issues.

#### LAND DEVELOPMENT

**Mr. Gilles Bisson:** I want to make a couple of comments in regard to the comments that were made by the Minister of Natural Resources.



I think there is nobody who disagrees that we need to have a method of doing better work when it comes to planning in the far north, and we're talking north of 51. For years, I've been championing the whole issue of making sure that First Nations are in the driver's seat.

But what was remarkable was who wasn't there at that announcement this morning. The Nishnawbe Aski Nation, who are at the forefront of this particular debate, were not at the press conference for a very simple reason: You haven't got the bill right yet.

Is it an attempt to go in the right direction? Absolutely. Are you trying to do the right thing? We certainly hope so. But it tells me that we have a fair amount of work yet to be done in order to deal satisfactorily with the issues that First Nations, mining companies and others have raised.

In the bill, I think we're going to have to deal with a couple of issues, the first being that we need to make sure that First Nations feel as if they are in the driver's seat, that they do have control over what happens. We're going to have to have some sort of a system that is transparent enough to allow mining development and others to continue as we go through this process so that we don't end up throwing a blanket across the territory north of 51, making it difficult for development to go forward.

I would argue that if we don't do this right, we may not end up seeing other mines like De Beers establish themselves in the far north.

You know as well as I do, Minister, that they want to protect the environment, number one; there's no question. That's what First Nations want, that's what we want, that's what you want, and that's what the environment movement wants. But they also want economic development, and we need to make sure that happens.

The other thing is that we're going to have to make sure we fund at least \$20 million a year, the money that's necessary so they can do the work that has to be done to develop the capacity to make this legislation work.

We look forward to full consultations on this bill.

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## SEXUAL HARASSMENT AWARENESS WEEK

**Ms. Cheri DiNovo:** I'm responding to the statement on Sexual Harassment Awareness Week. You know, it's not enough just to be aware of sexual harassment. What women across this province want is some action, finally. Here is what they need. First of all, women in Ontario make 71 cents for every dollar that men make, still. If you look around this chamber, you'll see that we represent only about a quarter of elected members in this chamber, and certainly we haven't broken through the glass ceiling in the corporate world either.

The ground of sexual harassment is the inequality of women. How do we make women more equal? That's the question. Here's what we do: The Ontario Federation of Labour has called for workers' compensation coverage for chronic stress due to harassment, verbal and emo-

tional abuse. They've also called for, and I've called for, Employment Standards Act amendments that would protect women and give them time off when they're being abused. That would have prevented the death of Lori Dupont. We're also asking for real money to go into the Pay Equity Commission so that women can finally make the same amount of money as men, for primary prevention against abuse in all of our elementary schools, for real money behind the Pay Equity Commission. These are the actions that are going to make a difference.

With all due respect to the statistics, I have never, ever met any woman who has not been sexually harassed in the course of her life. It's not one out of two; it's two out of two. When you look at the definition of "sexual harassment" and you're looking at what a number of our girl children go through every day on their way to school and back—listen to Natalie: "I was standing to answer a question when the guy behind me put his hand on my leg and started to move it up under my skirt. I turned and swore at him. I got suspended and he got a talking-to." That's a high school student. That's from the government website. That's happening now in our schools.

If we really want to be serious about ending the sexual harassment of women in this province, we're going to do something about the inequality of women in this province and we're going to start, in our school system, taking this issue seriously. We're going to do it in our educational quarters and we're going to do it by putting into place the kinds of employment amendments that would protect women like Lori Dupont in the workplace. That's not the case. That's why we've received thousands of these flyers from the OFL. I'll just read it to conclude: "Ontario's working women should not have to choose between their safety or their job." Amen to that. Ontario women should not have to make that choice, and neither should our girls have to make the choice between their safety and their education.

## VISITORS

**Mr. Gilles Bisson:** I would ask you to indulge and welcome the class from St. Patrick School in Kapuskasing.

## PETITIONS

## TAXATION

**Mr. Norm Miller:** I've received hundreds more petitions to do with McGuinty's new sales tax from Huntsville, North Bay, Bracebridge and Gravenhurst, and they read:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% harmonized sales tax will be applied to products and services not previously subject to



provincial sales tax such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services; and

"Whereas rural and northern Ontarians will be particularly hard hit by Mr. McGuinty's new sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should remove the new sales tax from its 2009-10 budget."

I support this petition, have signed it and I give it to page Kevin.

### WIND TURBINES

**Mr. Bruce Crozier:** I have petitions signed by thousands of people.

"To the Legislative Assembly of Ontario:

"Whereas there is a proposal for wind turbine farms in Pigeon Bay, off Kingsville, Union and Leamington in Lake Erie, Ontario; and

"Whereas this will have a major adverse effect on migrating wildlife, including birds, monarch butterflies and bats, due to the proximity to the Jack Miner Bird Sanctuary in Point Pelee National Park, which has received international recognition for the province of Ontario and Canada for its unique place in the world as a wildlife migration site; and

"Whereas this has the potential to significantly affect the union water system intake (which provides potable water to a large portion of Essex county) due to disturbance of the lake bed during construction, given the proximity of such turbines; and

"Whereas this will have a major adverse effect on Canada's largest freshwater commercial fishing industry—this region is a major spawning area for smelt, pickerel, perch and bass—and is a very sensitive ecological part of the Lake Erie basin; and

"Whereas this could adversely affect the health and well-being of thousands of families and senior citizens in these highly populated communities (noise, sleep disorders, depression, headaches etc.) due to the proximity of these wind turbines; and

"Whereas this will have a significant adverse effect on the economy, as this area relies heavily on tourism for wildlife migrations, sport fishing, pleasure boating, sailing, diving etc.; and

"Whereas this will have a significant negative impact on property values within this very heavily populated area given the impact on health, tourism and jobs in the community; and

"Whereas the proponent wants to locate wind turbines on crown lake property and we feel strongly that Pigeon Bay should not be allowed to become an industrial park for profit (private enterprise on crown land) at the expense of the environment, our health and the economic well-being of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario to ban the establishment of any wind turbines in Pigeon Bay, a sensitive ecological and environmental area in Lake Erie. This includes the proposal submitted by SouthPoint Wind Power, a division of 1037193 Ontario Ltd., in December, 2008."

In support of this petition, I affix my signature.

### TAXATION

**Mr. Ernie Hardeman:** I have a petition that many, many people have come into my office in Woodstock to sign, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas residents in Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I affix my signature, as I agree with this petition.

### WIND TURBINES

**Mr. Pat Hoy:** I have a petition signed by thousands of persons.

"To the Legislative Assembly of Ontario:

"Whereas there is a proposal for wind turbine farms in Pigeon Bay, off Kingsville, Union and Leamington in Lake Erie, Ontario; and

"Whereas this will have a major adverse effect on migrating wildlife, including birds, monarch butterflies and bats, due to the proximity to the Jack Miner Bird Sanctuary and Point Pelee National Park, which has received international recognition for the province of Ontario and Canada for its unique place in the world as a wildlife migration site; and

"Whereas this has the potential to significantly affect the union water system intake (which provides potable water to a large portion of Essex county) due to disturbance of the lake bed during construction, given the proximity of such turbines; and

"Whereas this will have a major adverse effect on Canada's largest freshwater commercial fishing industry—this region is a major spawning area for smelt,



pickerel, perch and bass—and is a very sensitive ecological part of the Lake Erie basin; and

“Whereas this could adversely affect the health and well-being of thousands of families and senior citizens in these highly populated communities (noise, sleep disorders, depression, headaches etc.) due to the proximity of these wind turbines; and

“Whereas this will have a significant adverse effect on the economy, as this area relies heavily on tourism for wildlife migrations, sport fishing, pleasure boating, sailing, diving etc.; and

“Whereas this will have a significant negative impact on property values within this very heavily populated area given the impact on health, tourism and jobs in the community; and

“Whereas the proponent wants to locate wind turbines on crown lake property and we feel strongly that Pigeon Bay should not be allowed to become an industrial park for profit (private enterprise on crown land) at the expense of the environment, our health and the economic well-being of our community;

“We, the undersigned, petition the Legislative Assembly of Ontario to ban the establishment of any wind turbines in Pigeon Bay, a sensitive ecological and environmental area in Lake Erie. This includes the proposal submitted by Southpoint Wind Power, a division of 1037193 Ontario Ltd., in December 2008.”

As I am in agreement with the petition, I too have signed it.

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## TAXATION

**Mr. John Yakabuski:** I have a petition to the Legislative Assembly of Ontario.

“Whereas residents in Renfrew–Nipissing–Pembroke do not want the McGuinty Liberals’ new sales tax, which will raise the cost of goods and services they use every day; and

“Whereas the McGuinty Liberals’ new sales tax of 13% will cause everyone to pay more for gasoline, for their hydro, cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

“Whereas the McGuinty Liberals’ new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the McGuinty Liberals’ new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government not increase taxes for Ontario families.”

I support this petition and affix my name to it. I have thousands of people signing this petition, and there will be more.

## FOCUS COMMUNITY PROGRAM

**Mr. Gilles Bisson:** “Whereas the Focus Community program has been effectively working with communities across Ontario for the health of Ontarians by preventing injury and harm in relation to drug and alcohol use since 1991; and

“Whereas the Focus Community program funding cycle ended on March 31, 2008, and the project’s extension funding will end on March 31, 2009; and

“Whereas the Focus Community program has been waiting for a decision from the Ministry of Health Promotion about continued funding; without a decision, the Focus Community program cannot make plans, develop a budget or make commitments with community partners;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ministry of Health Promotion renew the funding of the Focus Community program for an extended period so that they can continue the good work they have been providing for the past 17 years.”

I’ve signed that petition, and I give it to Joseph.

## AIR QUALITY

**Mr. Charles Sousa:** I have a petition here from the people of Mississauga South. On May 28, 200 members of my community met with the Ministry of the Environment staff to discuss the reformation of the Clarkson airshed study advisory committee. We heard additional points of view from experts in the science; however, we continue to have concerns about our local air quality, and after years of study we’re asking for a plan to reduce emissions. So I rise today to present this petition, which reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and determined that the Clarkson, Mississauga, airshed study area was taxed for ... particulate matter (PM2.5); and

“Whereas the average annual PM2.5 concentrations measured in the Clarkson airshed were among the highest found when compared to data obtained from the ministry’s air quality index monitoring stations; and....

“Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and....

“Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

“Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact the Clarkson airshed study area.”

I will sign the petition and provide it to Kerala.



## TAXATION

**Mr. John O'Toole:** I'm presenting a petition on behalf of Pina Martino, who's an expert adviser here at the Legislature, and the petition reads as follows:

"Whereas residents of Etobicoke do not want a provincial harmonized sales tax that will raise the cost of goods and services that they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

"Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4 haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly....

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I'm pleased to sign and endorse this.

## POST-SECONDARY EDUCATION

**Mr. Lorenzo Berardinetti:** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the McGuinty government has committed \$27.7 million in new infrastructure funding for Centennial College, located in the riding of Scarborough Southwest....;

"Whereas the money is committed to improving and enhancing post-secondary education in Scarborough and across Ontario by offering state-of-the-art technology that will facilitate cutting-edge, world-class learning opportunities...;

"Whereas these opportunities will equip our youth and retrained workers to be at their competitive best when companies seek employees to fill new-economy jobs;

"Whereas these types of initiatives are part and parcel of a larger economic plan that will bring new high-paying, sustainable jobs to Ontario;

"We, the undersigned, therefore encourage the McGuinty government to continue to follow this approach when it comes to its long-term economic plan for Ontario."

I agree with this petition and affix my signature to it.

## TAXATION

**Mrs. Julia Munro:** "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as coffee, newspapers and magazines, gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations, veterinary care, and arena ice and soccer field rentals;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families...."

I have affixed my signature, as I am in agreement, and given it to page Sam.

## UPPER CANADA VILLAGE

**Mr. Paul Miller:** This petition is to the Legislative Assembly of Ontario:

"Whereas the St. Lawrence Parks Commission's ... changes to Upper Canada Village threaten the site's historic integrity, limit its capacity to educate visitors about Canada's pre-Confederation past, and ultimately result in much-diminished visitor experience;

"Whereas the changes include eliminating 23 costumed interpreters who, in past seasons, educated visitors about life in the 1860s, and the growing commercialization of this respected living history museum, including the conversion of a rare heritage building, Cook's Tavern, into a restaurant and potentially a bar;

"Whereas ... heritage buildings will be closed to visitors for three to four hours each day because they will not be staffed, leaving their buildings and their contents, precious historic artifacts, many of them donated by local families, vulnerable to theft and vandalism;

"Whereas the St. Lawrence Parks Commission"—an agency of the government of Ontario—"made these changes with the help of a \$13-million grant from" the province; and

"Whereas the degradation of this cultural icon, created to preserve the past and honour the heritage of those communities flooded by the building of the St. Lawrence Seaway, is a concern to all citizens of Canada;

"Therefore we, the undersigned, call on the Legislative Assembly of Ontario to demand the reversal of changes implemented thus far in the establishment of a public forum for the express purpose of creating a vision for Upper Canada Village based on community input, including that of municipal councils, heritage societies, concerned citizens and employees."

I agree with this and sign my name to it, and Joseph will bring it down.

## PRESENTATION OF PETITIONS

**The Speaker (Hon. Steve Peters):** I would just remind the honourable members that when it comes to



petitions, you may want to consider that it is out of order, and I'm going to have to start enforcing this, but also you have to read the petition as presented. You cannot add little sidebar notes to the petition.

Also, I would ask you to give consideration to the other members as to the length of some of these petitions. My concern is, at some point somebody's going to come in here and read a 15-minute petition and then you're all going to get mad at me. There's nothing in the standing orders that would restrict somebody from coming forward with a 15-minute petition.

I would ask that either as the House leaders you have this discussion, or perhaps the Standing Committee on the Legislative Assembly, to take a look at the petitions, because we know that they are an important part of the work that each of you do as members, but many of you, I know, want to have as many petitions presented as possible. So I just ask that perhaps you give that consideration over the summer.

1610

## ORDERS OF THE DAY

### TOXICS REDUCTION ACT, 2009 LOI DE 2009 SUR LA RÉDUCTION DES TOXIQUES

Mr. Flynn moved third reading of the following bill:

Bill 167, An Act to promote reductions in the use and creation of toxic substances and to amend other Acts /  
Projet de loi 167, Loi visant à promouvoir une réduction de l'utilisation et de la création de substances toxiques et à modifier d'autres lois.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Kevin Daniel Flynn:** I rise to begin debate today on third reading of the Toxics Reduction Act, first introduced by the Minister of the Environment, John Gerretsen, on April 7 of this year. If passed, this legislation, the only one of its kind in Canada, would help reduce toxic substances in Ontario and contribute to a cleaner and healthier environment for our families and our communities, and a higher quality of life for us all here in Ontario.

The proposed legislation lies at the heart of our government's commitment to deliver a toxics reduction strategy for all of Ontario, and we've made this commitment for many reasons. More than 23,000 chemicals and substances are in commercial use today in Canada, with more than 100 new chemicals introduced to the Canadian marketplace each and every year. They're used in the manufacture of virtually every product in the marketplace, from cars to toys, electronics, paper, food, even medicines. While they do play a very, very important role, some substances can also pose some risks.

Ontarians are concerned about the environment. They're also concerned about the health risks that are associated with potentially toxic substances and other

pollutants. A recent poll showed that 90% of Ontarians believe that reducing toxics should be as high, or a higher priority, for government than even air pollution, water pollution or climate change. Our government, in this bill, is responding to their concerns.

The proposed Toxics Reduction Act would strike the right balance, we believe, between protecting human health and the environment while at the same time supporting the transformation of businesses in Ontario to a new, green economy. Ontarians now understand that we do not need to choose between the environment and the economy. In fact, we can grow the economy in Ontario by making it greener. The proposed legislation is intended to stimulate well-paying green-collar jobs and the investment that results from innovation and scientific research into green chemistry right here in Ontario. If passed, Ontario would become the very first jurisdiction in Canada to put in place a Toxics Reduction Act based on some of the most advanced thinking on toxics reduction worldwide.

Our government has a proud tradition in environmental protection. We have taken a series of progressive steps that are making a real difference to Ontario and to Ontarians. They include such things as banning cosmetic pesticides on lawns, gardens, parks and playgrounds. We have protected Lake Simcoe and its entire watershed. We have introduced waste programs to deal with household hazardous wastes such as paint, batteries, electronic and electrical equipment waste and, most recently, used tires. We're supporting research and innovation in green products and in green technologies. Just last week Minister Gerretsen introduced proposed legislation that, if passed, would enable a cap-and-trade system within our province of Ontario that would result in lower greenhouse gases and reduce the threat of climate change. These all link together and they all work together towards a cleaner, greener, and healthier province with a high quality of life that we know Ontarians want.

Our proposed Toxics Reduction Act is an important addition that's worthy of the support of this entire House. Let me remind the House of its key measures and why it should be supported. If passed, the act would focus on reducing the use and the creation of toxic substances at the front end of the industrial process. The approach would augment the traditional way of doing things, which is the end-of-pipe approach of managing toxic substances. It would require regulated facilities to both monitor and track their current use, creation and release of toxics and develop a plan to reduce their use and to make a summary of this plan available to the public.

We firmly believe that Ontarians deserve to know about toxics so they can make informed decisions for their families. As a result, the government is committed to making this information available to the public through the Internet, and we also commit to reporting annually on our progress relating to the implementation of the proposed Bill 167.

Our government also recognizes that some facilities, and most particularly small businesses, in Ontario may



require some assistance to complete the work that would be required under the act. That's why, if this bill is passed, our government will invest \$24 million to support industry. This funding would be available to all regulated facilities to support early action to reduce toxics. Grants would be available to small businesses to offset the initial costs associated with the tracking and planning and to help them build the capacity, as well as to all regulated facilities to help them take early action in reducing toxics.

Further, we've learned from other jurisdictions that site-specific assistance from technical experts can be very useful in developing toxic reduction plans and strategies for action. This assistance would also be made available to businesses in Ontario.

The proposed legislation before us today is a result of in-depth research and deliberation. Once again, I would like to thank Ontario's Toxic Reduction Scientific Expert Panel for their advice in the development of the toxics reduction strategy, most particularly, the work of co-chairs Dr. Miriam Diamond and Professor Lynda Collins. In addition, we consulted widely with representatives of business, industry and municipalities. We consulted with environmental groups, with health organizations, with Cancer Care Ontario, with the Ontario Medical Association, as well as members of the public. All thoughts and opinions that were garnered were also considered.

We studied the experience of jurisdictions such as Massachusetts and New Jersey. They're jurisdictions that have successfully implemented toxics reduction, and we used the lessons that they learned to inform our own made-in-Ontario approach.

More recently, the proposed act was posted for 30 days on the Environmental Registry. We received in total 113 comments, and I'd like to take this opportunity to thank everyone who took the time to respond.

The legislation was reviewed recently by the Standing Committee on General Government. I was privileged to be a part of this review. I thank my fellow committee members for their hard work and their thoughtful consideration of the bill.

The committee heard from 23 presenters over two days of public hearings, including such groups as Environmental Defence, which said, "This is the first time in Canadian history when we have really gotten into the question of how we encourage companies to transition, to engineer out the use of those chemicals. It's a really important step forward."

We also heard from Pollution Probe. They stated that it supports "the Ontario government's commitment to protecting the health and environment of Ontarians through the management of chemicals." The proposed Toxics Reduction Act is an important piece of legislation in this regard.

Craig Crawford presented before the committee. Craig is with the Ontario BioAuto Council, and he applauded the legislation and confirmed that the public wants industry to develop safer, less-toxic chemicals and less-toxic products. He added that the council supports "the

approach the government is taking, i.e. mandatory material accounting and toxic chemical reduction planning, voluntary implementation, public transparency and a phased-in approach. If linked properly with public investments in research and innovation, the government's strategy could successfully link toxic chemical reduction to the creation of a green industry" right here in Ontario.

One question that was raised at committee dealt with the fact that industry is already required to track substances through federal programs. The government was asked, "Why do we need to do this at all? Wouldn't the federal regulations suffice?" We responded in this way: In order to reduce any duplication, we are proposing that companies that have already completed existing work, such as an environmental management system or a federal pollution prevention plan, can use this work toward the development of their toxics reduction plan so long as it meets the requirement of the proposed act and its regulations.

1620

In another initiative, we're also proposing to align reporting times with those that are currently required under the federal National Pollutant Release Inventory. This made-in-Ontario approach to toxics reduction does indeed build upon the existing federal approach and the foundation provided by the federal chemicals management plan. But our strategy is not simply about creating a duplicate substance-by-substance risk assessment regime; rather, it is to provide a framework for Ontario to reduce substances that the federal government has already identified as being of concern to human health and the environment.

While the National Pollutant Release Inventory focuses on providing information to the public on the release of pollutants, our bill, if passed, would allow us to provide information to Ontarians on the use and the creation of toxics. The Canadian Environmental Law Association, CELA, agrees that the additional requirements are "appropriate and within the province's constitutional rights to act to protect public health."

If the bill is passed, we would consult to develop regulations to specify the industrial sectors and toxic substances that will be covered. Based on earlier consultation, we anticipate it would apply to facilities engaged in manufacturing and mineral processing, and to approximately 320 substances.

While the development of toxics reduction plans would be mandatory under the proposed legislation, implementation would be voluntary. As I mentioned during second reading of this bill, once we have information from facilities, we will be in a much better position to consider targets. Therefore, based on advice, we are including a provision in the legislation—I want to be clear about that—that enables us to set targets in regulations related to toxic substances.

Experience from other jurisdictions has suggested that as businesses go through the planning exercise and identify opportunities for toxics reduction, it quickly becomes apparent that they can also save money and they



can improve efficiencies by making some very practical changes. For instance, switching to less-toxic chemicals would cut costs in areas such as materials handling and waste disposal. Fewer toxics would mean reduced business risks in areas such as spill and remediation liability. It would also mean a safer workplace, which would mean better employee health, better employee safety and therefore far fewer sick days and increased productivity in the workplace.

According to Paul Anastas, director of Yale University's Center for Green Chemistry and Green Engineering, "People who originally thought green chemistry was just about environmental concerns are now seeing that it also increases process efficiencies ... this is an engine for the innovation side of business and an ability to distinguish yourself in the market with new products with new capabilities." Implementing a toxics reduction plan voluntarily would simply make good business sense.

I also want to address comments by those who claim the proposed bill is inconsistent with the province's Open for Business strategy and may erode the competitiveness of Ontario's manufacturing sector. In fact, it's exactly the opposite. Our proposed legislation is very fair, it's rational, it's practical, it's well thought out and it's balanced. It supports Ontario businesses during very challenging economic times and it does not impose undue regulatory burden.

Remember, one of the key goals of the proposed legislation is to ensure that Ontarians are informed about toxic substances so they can make informed decisions for their own families. Our government plans to establish an electronic reporting system and a website which would enable Ontarians to monitor toxics use and release right in their own communities, as well as the actions taken by those same facilities to reduce toxics use. Again, companies that reduce their use of toxics would benefit.

The final point I'd like to make this afternoon deals with the potential for the proposed legislation to propel Ontario forward in building a green economy and creating green-collar jobs. As you know, in these challenging economic times, a green economy offers Ontario tremendous opportunity. There's great potential for our province to develop new technologies that reduce the need for toxic substances and provide safer alternatives to meet industry demand. Our government plans to support green chemistry and engineering as part of our toxics reduction strategy. We would support innovation, establish industry round tables to identify research priorities, and set up academic chairs to help address barriers to commercializing new products and services. If passed, the proposed legislation would propel these activities forward. It would help position Ontario to become a leading jurisdiction on green alternatives to toxics that would be in demand worldwide, and it would encourage investment and well-paying green jobs right here at home.

Ontarians have told us they want a strong, competitive economy and they want a high quality of life in clean, healthy communities. They believe, as the government

does, that we can have both. The proposed Toxics Reduction Act before us today is a very important step toward reaching that goal and deserves the support of the entire House.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Gerry Martiniuk:** I'm pleased to make comment on the presentation of the member from Oakville on Bill 167, a very important bill. It really is important that we protect every citizen from toxic substances in Ontario, and one would think that if the bill is 44 pages long, both English and French, it would do exactly that.

Many came before the committee to address the bill and said, "If we're going to control toxic substances, let's define 'toxic substances'," and the government said no, which is hard to believe. For instance, the Canadian Vehicle Manufacturers' Association, of which, I guess, Dalton McGuinty has made the government a part, now that we are part-owner of Government Motors, came and said, "Let's clearly define what a toxic substance is." And my goodness, they refused to define "toxic substance" in the bill. Instead of doing it in public, where everyone could consider it and they could get comments on it, they decided to do the definition of the very foundation of the act in the backroom.

That was not the only amendment they refused. They at no time considered any of the amendments. They voted every single amendment down. They promised transparency, they promised to listen, and they have shown that they are incapable of either—absolutely nothing.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Peter Kormos:** Mr. Bisson, the member for Timmins-James Bay, and I will be joining this debate when our turn comes in rotation.

Of course, the parliamentary assistant does it well. Mr. Flynn is an entirely capable person. Clearly, once again, we've got the parliamentary assistant doing the heavy lifting while the minister skedaddles. It's like that maxim that success has 1,000 parents and failure is always an orphan. It's a set-up, right? If the bill fails as badly as many of its critics feel that it will, then Mr. Flynn is left holding the bag, and the minister is—how do they say it?—scot-free. So it's no wonder that the parliamentary assistant has had this foisted on him and has been given a script and a text that he related well.

1630

See, what he didn't mention, what he failed to acknowledge, were the concerns by, oh, let's say the Canadian Cancer Society. You know about that, don't you, Parliamentary Assistant? You know that the Canadian Cancer Society—why, today, knowing full well that this bill was on the cusp of passage—expressed some very serious concerns about this Bill 167.

I'm going to have a chance to speak to that more fully when my modest speaking slot is reached. Mr. Bisson from Timmins-James Bay, I'm sure, will address that aspect of it as well. We're looking forward to the chance to do that.



**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Mike Colle:** I just want to reinforce what my colleague from Oakville has said. He represents a maritime constituency—that's Oakville—a beautiful part of Lake Ontario with the great mayor, Mr. Rob Burton, and so he has a very personal stake in ensuring that the Oakville area is pure and clean and that the waters of Lake Ontario are clear of toxic chemicals.

Just very recently, we know that because of dumping and spills, there's a part of the Pacific Ocean the size of the state of Texas that is just one big, giant garbage dump with all these toxic chemicals, plastics—the size of Texas. We also know that the acidity level in our oceans caused by the dumping of toxics is destroying our coral reefs—off Honduras, for instance. We also know that CO<sub>2</sub> emissions are doing great damage to our oceans and depleting our fish stock.

I guess this bill tries to address the source of some of these pollutants and toxic spills, and it really tries to work with industry in developing some strategies and plans to wean them away from the use of certain chemicals, to use more benign materials so they won't have an effect on our oceans, on our lakes and on our rivers.

This bill also triggers about \$25 million in funding to get our industries in tune with best standards.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. John O'Toole:** The points that were made by the member from Oakville are well intended, and I want it to be remembered on this side of the House that we actually are in support of legislation that deals honestly with the issues that affect the environment, like toxic materials.

I'm waiting, because the real expert here would be our member from Haldimand-Norfolk, our critic on this file. He's about to give a remarkable assessment, having sat through the committee hearings and having worked professionally in the economy of Ontario for many years. He's trained in these areas.

Here's what I think: Everyone here wants to do the right thing, and by doing the right thing, you would have straightforward, clear rules. My only response at this time is that during the public hearings, almost all of the delegations were against Bill 167. They either felt it was too strong, but the vast majority felt that it was way too weak. In fact, the Canadian Cancer Society was quite animated in its response to how weak the bill was. There were no clear definitions of responsibilities.

We've heard from the industry sector that there are national standards today under MSDS rules and WHMIS rules, so I can't, for the life of me, think how they think they can fool the people of Ontario with this bill. It's not mandatory. It's not strong. It doesn't do what it says. Yet, they're up here reading the notes that the ministry people gave them. They either don't get it or they're trying to somehow put one over on the people of Ontario.

I'm waiting for the member from Haldimand-Norfolk, who will give us a definitive position on this in a clear, concise and probably—

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much. The member for Oakville now has two minutes to reply.

**Mr. Kevin Daniel Flynn:** It is a pleasure to reply, and thank you to the other speakers for their comments on the proposed bill.

If this bill is passed, I think we have to be very cognizant of the fact that our province will become the only province within Confederation that has toxics reduction legislation, and that's important. Ontario is leading the way here. In that leadership role, what we have attempted to do with this bill—and what I think we've accomplished, largely—is to bring in a piece of legislation that is balanced.

The member from Durham is absolutely right. His party felt this bill was far too strong and did everything through the committee process to undermine the intent of the bill. It's very clear in the amendments that the intent was to weaken the bill—very, very clear. And you ask why the amendments didn't pass. Had the amendments passed, the entire intent of the bill would have been watered down and rendered really useless. The other party wanted to place what I think are unrealistic and onerous restrictions on industry, at a time when they need it the least. They tried to undermine it from a different direction.

During the hearing process, we heard from a number of groups that, I thought, for the most part, brought forward very good advice. We've now included in the legislation, as a result of this, the ability of the government, through regulations, to include targets, something that the opposition parties were opposed to but that we've included.

What we did in the make-up of this bill was go out and consult with experts. Now, I know there will be a lot of members of this House who obviously think they know more than the experts. But we had Dr. Miriam Diamond and we had Professor Lynda Collins, people who know this inside out, and they told us that this is the way to go.

Thank you, Speaker. This deserves support.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Toby Barrett:** I do welcome the opportunity to rise once again to address Bill 167, the Toxics Reduction Act. It seems like only yesterday that I was attempting to amend this bill in committee. In fact, it was yesterday. The committee just reported maybe an hour ago. It is unprecedented to be wading into a debate based on what went on during probably three hours of clause-by-clause yesterday in deliberations of the general government committee.

*Interjection.*

**Mr. Toby Barrett:** I heard an outburst across the way. I don't know whether any of the members here have read the deliberations of yesterday's committee. I don't see any hands up on the government side, and that's understandable because I don't think Hansard has even had time to type up the deliberations from yesterday. So we're in a position—other than those people who actu-



ally attended the hearings, and I know there are two here from the opposition side—to have debate based on the most recent deliberations, and nobody across the way would have any of the information, other than, I would assume, the parliamentary assistant, because he was there for the hearings.

This was just yesterday; we went through this. We attempted to amend this bill in committee, as did the NDP. There was something like 62 amendments brought forward. The government amendments focused on maybe two or three areas. Those ones passed—why are we not surprised? None of the NDP amendments were accepted and none of the opposition amendments were accepted.

Very simply, we were trying to amend this legislation from what it was. It's restrictive and obviously duplicative. It duplicates the federal approach. It's red tape. It's tied to paperwork and filling out forms. I know the government desperately put an amendment to their own legislation to try and cut back on the red tape in this red-tape type of bill. It's penalty-based. Essentially, it's a piece of legislation that should have been amended, and we could have gone a long way to improving it.

1640

In trying to get this government to create a more workable bill, a made-in-Ontario piece of legislation that would be less costly and something that would be, at minimum, goals-oriented and results-oriented—this is not results-oriented; this is merely about process and filling out forms. We asked for legislation, as with any environmental legislation, that would be based on risk. We asked for legislation that would make the best use of science-based toxics decisions, all available at the federal level, I might add. However, what we've ended up with today is a proposed bill—it hasn't passed yet—that deals with bureaucratic process rather than results. In fact, it was just yesterday that we on the general government committee deliberated on amendments. I guess by now we should all be used to the McGuinty approach, the ram-it-through approach, essentially, to emotion-based, science-baseless legislation.

**Mr. John O'Toole:** They did a poll on it. That's what they say: It's a popular issue and so they're just working on it.

**Mr. Toby Barrett:** That's a good point. My colleague has made a good point there.

My intention in making the amendments was based on the hopes, really, that we could, if anything, slow down this speeding train before it took a major portion of our manufacturing and mining employment with it.

Like I say, we just got the report of the committee an hour ago and I don't think we have any Hansard at all to conduct our researches, but during those hearings we heard time and time again from groups attempting to achieve the same goal, manufacturing organizations that, in total, represent just about everybody that has a job—80% employment is represented by the organizations that either submitted briefs, put out public news releases or came forward and testified before the committee. I know there were, gosh, three or four representatives of industry

who sat through all three hours of clause-by-clause yesterday. That gives you an indication of just how concerned they were about this.

The organizations that came forward represent about 80% of Ontario's industry, manufacturing and mining. As people will know, in Ontario we have now lost well over 300,000 manufacturing jobs. That figure is probably out of date; I assume the tally is much higher than that now.

We have to be cognizant, when we talk about the plethora of environmental initiatives that have been coming forward of late, not only the toxics, but most recently the cap-and-trade, the cap-and-tax legislation emblematic of the McGuinty government's green shift—we have to be cognizant of the kind of impact this environmental legislation is having on our dwindling economy. Even the best, even the brightest, even the biggest, like GM, are struggling to survive. Instead of plans for economic recovery, we in this House seem to be constantly debating legislation that would create even further hurdles to doing business in the province of Ontario.

I will mention as well that, going into the clause-by-clause deliberations yesterday, I did expect some government amendments. I was hoping for some 11th-hour government amendments, given the testimony we heard from groups like the Canadian Cancer Society. They recommended that Bill 167 include targets to effectively reduce the release of toxic chemicals. That amendment was not made by the government. I'll quote the Canadian Cancer Society: "Other jurisdictions that have enacted toxics use reduction legislation in the US and in Europe have demonstrated that targets are a necessary component to reducing and regulating toxics use and release."

I stress the word "release" in that quote from the Canadian Cancer Society, which fell on deaf ears. The government approach, I feel, with respect to that particular deputation is somewhat disingenuous. It adds amendments, it did add a target amendment, but it did not address the issue of release as requested by the Canadian Cancer Society.

Janelle Witzel, of Environmental Defence, testified before the committee. Again, in spite of their request, I saw no amendments come forward from this government with respect to toxins in sewage. I'll quote Environmental Defence: "Some of these toxins come from manufacturing and a large proportion as well comes from sewage treatment plants, which leads me into one of our key recommendations"—a recommendation, I will add, that was ignored—"which is inclusion of sewage treatment plants within the regulations."

"Data derived from PollutionWatch indicates that sewage treatment plants are responsible for approximately 87% of mercury emissions, 37% of arsenic emissions and 71% of lead emissions and almost all chlorine emissions into Ontario's water."

As I recall, the NDP did put forward, in the absence of a government amendment, a motion to deal with sewage.

Just to quote further from Environmental Defence: "Ensuring that the act includes and applies to sewage



treatment plants which receive effluent which is released to water from at least 12,000 industrial, commercial and institutional facilities would provide incentives for upstream toxics reduction. It would foster greater awareness of what has been released and would also create pressures for sewage treatment plants to work with municipal governments on stronger sewage control bylaws. Currently, only 260 of 450 Ontario municipalities have sewage bylaws and the discharge limits differ." That's from Environmental Defence.

There was certainly debate in this House about the mandatory aspect of this legislation, as far as filling out the forms, and everything else is voluntary. I don't know to what extent you'll get results from that kind of approach. This was part of the impetus from the Canadian Environmental Law Association, and they feel that voluntary compliance just doesn't work. "These plans need to be mandatory and industry has to buy into them in a way that we think can only really happen with a very active toxics use reduction institute." Again, that was proposed by the NDP and rejected by the government.

Other deputations: Here's what Ian Howcroft, Ontario vice-president of Canadian Manufacturers and Exporters, had to say. This is actually a brief that came forward to all of us before the bill went to committee. "We view this proposed legislation as inconsistent with the province's Open for Business strategy. If Ontario companies now have an added burden that other competing jurisdictions do not, it will put the province at a competitive disadvantage." I will mention that this was a recurring theme in the deputations, news releases and presentations put forward by the people who will be affected by this kind of legislation.

The sad thing is that not much has changed. Now that the consultation has been terminated, I can say that only one day after emerging from clause-by-clause consideration of the bill, we are no closer to either a science-based or a risk-based toxics reduction plan than we were before the hearings commenced. It is unfortunate that this CME release that I just quoted from—that's the Canadian Manufacturers and Exporters—was signed by a large number of industry organizations, again, those same organizations that represent 80% of the industry in this province. That's a lot of jobs; that's a lot of lost tax revenue. That would be a lot of lost tax dollars if we were not to listen to the advice from some of these organizations. One example: Canada's basic chemical and resins industry alone generates \$27 billion annually and is Ontario's third-largest exporter.

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There were other names attached to this Canadian Manufacturers and Exporters news release. It's a public news release that was sent out at the beginning of April, as I recall. These names would certainly be familiar to the members who sat through the general government hearings, many of the same names that have been denied their request to inject some common sense into this process. Their attempts to inject some science-based sense into this toxics reduction process came to naught.

I'll list some of the names: Automotive Parts Manufacturers' Association; Canadian Chemical Producers' Association, which I mentioned before; Canadian Foundry Association; Canadian Manufacturers and Exporters, which I just quoted; Canadian Petroleum Products Institute; Canadian Plastics Industry Association; the steel producers; the vehicle manufacturers—we heard a bit about them in one of the two-minute responses; the forest industry; Ontario Waste Management Association; Cement Association of Canada; Rubber Association of Canada; and, of course, the Sarnia-Lambton Environmental Association.

These organizations all signed on to that news release, expressing their concern, their objection, to this kind of provincial legislation that essentially deviates from and in many ways is completely at odds with the existing federal legislation. It just raises the issue, what if separate states in some of our competing—I think of many states in Brazil. What if every state in Brazil started to duplicate what the federal jurisdiction does in the country of Brazil? It may help us compete a little better against them if they are burdened with this plethora of rules and regulations and red tape and forms to fill out, but I really wouldn't wish that on any other jurisdiction.

It's a very important list of organizations, and they came forward with basically the same message.

Beyond the organizations that put out their public statements of concern, we also had submissions and testimony before the committee from other organizations. Many of these organizations also put forward advice and recommendations to try to improve this legislation. So, additions to the list: Canadian Paint and Coatings Association; Ontario Mining Association; Canadian Cosmetic, Toiletry and Fragrance Association; Canadian Consumer Specialty Products Association, as well as other individuals and companies that had some pretty serious concerns about where the government was heading on this particular bill.

Apart from the fact that the consultation is over—and I know ads were put in the paper asking people to come forward. By the time those ads appeared in the paper, you had only the next day to sign up, and as a result, we had a limited number. I'm surprised at the number of organizations that did sign up in time, given you get one day's notice. We have some time during the proceedings in this Legislature, and since many of the recommendations from these groups and from the opposition and from the NDP were ignored, I'd ask the members to bear with me. I think I have close to an hour to report on what some of the members of this essential sector had to say. I'm referring to the company people and the researchers and Ph.D.s and the environmentalists. They were very polite in their criticism, from what I heard over those hours of testimony. Basically, what they were saying is that this bill should not go forward in its present form.

I'd like to kick off with some of the testimony from the Ontario regional director of the Canadian Chemical Producers' Association. His name is Norm Huebel. I've spoken with Norm a number of times. He began by



saying, "We're here today to talk to you about a good idea that's gone wrong." That really reflects a lot of the sentiment from others who came forward. They feel this legislation, given the title—"toxics reduction"—is a good idea, but it's gone wrong. "Conceptually, reducing people's exposure to toxics is fundamentally sound; however, reducing toxics use will not accomplish this. Use could go down, but releases or emissions could go up. We have to reduce the risk of exposure to toxics."

Certainly, we put forward a number of amendments favouring a risk-based approach, an approach that really calls for the allocation of scarce resources, whether it be in government or within the industrial sector, to focus on results, to focus on emissions. Don't necessarily spend your time focusing on the plethora of toxic material that is contained within vessels, tanks and pipelines, for example, in an oil refinery. It's not a problem: That's where they're contained. That's where they are processed and chemically combined into other substances, albeit toxic, but that is certainly the process of much of the chemical and petroleum manufacturing industries: They're contained. When there's an emergency, when there is a release, a spill or an emission into the air, then you have a problem, and that's what we should be focusing on.

Mr. Huebel goes on—and we used this as one of our justifications for one of our amendments. It was on page 12 in general government's roster of amendments. I'll quote Mr. Huebel:

"I'd just like to refresh your mind with respect to risk. As you know, risk is equal to hazard times exposure. Consequently, if we can reduce the probability of exposure, we can reduce the risk associated with toxics." That made sense to us.

He goes on and gives an example with respect to chlorine. Chlorine is not presently covered by the act because most of it is used by municipalities, but I think we all understand a little bit about chlorine and its use in our society: "Chlorine ... is an extremely hazardous substance. It is this hazardous nature that allows us to make our water safe to drink. Surely we don't want to reduce the chlorine that is being intentionally put into the water.... What we want to do is reduce the risk associated with chlorine by reducing the probability of exposure, not the use."

He goes on: "That being said, we need a good, sound, scientific process for assessing the risk of potentially toxic chemicals to know what chemicals to work on. We have that with the chemicals management plan"—the short form is CMP—"and risk assessments under the Canadian Environmental Protection Act"—the CEPA—"administered by the federal government. We don't have to re-invent the wheel in Ontario and add unnecessary burden to Ontario's industries by creating a completely different process that does not assess risk."

He goes on to say, "As I said in the beginning, we want to talk about a good idea that's gone wrong. It can be fixed. We have redrafted a number of the sections of the proposed act to improve it and to ultimately deliver

on its potential without putting undue administrative burden on industry."

I will say that a number of organizations like Mr. Huebel's were most helpful to the committee. They made presentations and very specifically presented precise amendments to help improve this legislation. None of the amendments from these organizations were accepted by the government.

1700

I also want to talk about the issue of lack of scientific criteria. During clause-by-clause yesterday, the parliamentary secretary, who has just spoken, stated that there were indeed criteria used to populate the list of substances. However, that has not been shared with industry or the public.

I just received this e-mail an hour or two ago from the Canadian Consumer Specialty Products Association. That was one of the associations that came before the witness table. In fact, their representatives sat through all the clause-by-clause yesterday. This was sent to me by one of their representatives, Shannon Coombs.

She goes on to say, "During testimony from the U of T professor, Miriam Diamond, she stated that the expert advisory panel did their own assessments of the substances under the industry challenge program under CMP"—that's the chemical management program, the federal program—"and they populated the lists accordingly. All of the substances of concern on the current list 3—none of them are CMP substances."

As well, Shannon indicated that her organization asked for this review conducted by the expert panel and provided to the minister, as stated by the witness. "If there were criteria used to populate the lists, it is odd that it was not made public. If the bill and regulations are to be successful, they need to be created in an open and transparent manner, not in isolation."

Secondly, Ms. Coombs, of the Canadian Consumer Specialty Products Association, wanted to stress in her communication to me—I think it came in this morning—the lack of economic analysis, the lack of this kind of an underpinning for this kind of proposed legislation. She goes on to say, and I agree with this, "There needs to be a cost-benefit analysis conducted on the future regulations under this bill. The Ministry of the Environment is undertaking an initiative that will impact industry and they have no regard for the costs associated with implementing this bill. Given the economic malaise of this province, it would seem an appropriate and prudent course of action to undertake a cost-benefit analysis to better understand the costs as well as the cumulative impacts of all the MOE regulations in the works." And she does have a bit of a list here.

So other things in the works: regulations, obviously, around the pest control products rammed through about a year ago; the bill we're debating today, Bill 167; regulations around post-consumer waste with a review of the Waste Diversion Act, the WDA; the review of the blue box; regulations with respect to the review of program 1 under municipal household and special waste and, she



goes on to say, “the creation of programs 2 and 3 under MHSW, and now the announcement of the cap and trade legislation. While it is laudable that the government wants to undertake initiatives to improve the environment, the pace of these programs is overwhelming and costly to industry and to the people of this province.” That was submitted to me today by the Canadian Consumer Speciality Products Association.

I would like to continue, as I did in my initial speech on this subject, to draw attention to Bill 167’s first major misstep. According to the presenters, according to one of the two-minute comments we just heard this afternoon—and it shouldn’t be hard to find this one right off the top. That was the definition of exactly what is a “toxic substance,” according to this legislation. This also, when we talk about this problem, gets into the need for federal and provincial harmonization.

But before I go too far with my own thoughts on this subject, I’d like to essentially turn my time over to Dr. Eric Bristow. We went to the same high school. His marks in chemistry were obviously much better than mine were, but Mr. Bristow is environmental staff with the Canadian Petroleum Products Institute, CPPI, and he told the Standing Committee on General Government the following: Basically, as he said, the best definition of a toxic substance is the one we already have at the federal level—the federal definition.

I would like to quote Dr. Bristow:

“The first issue is the need for federal-provincial harmonization in the management of toxic substances. This is well illustrated by the definition of what is a toxic substance. The bill itself does not define the basis for what a toxic substance is, which is fundamentally important. Rather, it leaves that to the regulatory stage.”

I find it passing strange that we ran through three hours of clause-by-clause, we’re going through hours of debate today, we’ve gone through I’m not sure how many hours of debate previously, and there were so many consultations and discussion papers put forward previously by this government, and nobody knows what the definition of a toxic is, as far as this government is concerned. We have an excellent definition coming from the federal government, but this particular government in power has rejected that definition.

Dr. Bristow went on to say: “Fortunately in Canada, through the federal government’s chemicals management plan, we already have one of the most stringent processes recognized in the world for assessing which substances should be considered as toxic. The CMP”—that would be the chemical management plan—“process addresses not only the hazardous nature of a substance, but also the level of public and environmental exposure to that substance. Duplicating this process at the provincial level is not necessary and works against federal-provincial harmonization.”

His advice? “Ontario should leverage and stay aligned with the federal government both in respect to the reporting of substances as well as the assessment as to which substances are deemed toxic.”

As he states, “It’s clear, though, that the Ministry of the Environment is planning to label many more substances as toxic than those deemed by the federal process. This is evident in the Ministry of the Environment’s backgrounder paper, which outlines a list of toxic substances proposed by scientific experts through the government. This was the scientific expert panel. In reviewing the phase I and II lists, Ontario is proposing some substances as toxic that have already been deemed non-toxic by the federal government process. These additional proposed toxic substances on the Ontario list have not been through a transparent process and have not been through an open process. Industry has not been able to assess the science and the risk basis that was employed, as the detailed criteria used by the panel have not been shared.”

Again, industry feels they have been kept in the dark by this present government and by this process in developing this particular piece of legislation.

The Canadian Petroleum Products Institute had a concern for the validity of the scientific panel’s work, a concern based on reviewing the proposed additional Ontario toxics list. They give an example: Petro-Canada Lubricants; they’re located in Mississauga. It’s the only Canadian producer of non-toxic white mineral oil. This one’s on the list. White mineral oil is used in everyday items like baby oils and gummy bears, for example. As well, he goes on to say, “It supports the development of innovative, world-class products. There are several other examples of substances that should not be on the list. To help address these concerns, CPPI is tabling in this submission recommended changes to Bill 167 to be more explicit about the basis and criteria for substances to be considered toxic.” I brought these suggestions forward to the committee and to the government, and these, regrettably, were rejected.

1710

Unless the members feel that there’s only one voice in the wind, if you will, airing its concerns on the definition of “toxic” and the duplication that the bill represents, I’d like to make reference to some other organizations. Here’s an organization known well by MPP Bailey, the Sarnia-Lambton Environmental Association, also known as SLEA:

“The SLEA is disappointed that this legislation has not recognized or been harmonized with the federal government’s chemicals management plan.... The chemicals management plan is one of the most stringent processes in the world for the assessment of substances considered to be toxic. We believe that duplicating this process at the provincial level is not necessary and, frankly, is a wasteful expenditure of Ontario tax dollars. Ontario should align its lists with those of the CMP-based toxic substances contained in the Canadian Environmental Protection Act, schedule 1.” The Sarnia-Lambton association goes on to say, “We also question the process by which Ontario has proposed substances as toxic. Other than those which are consistent with schedule 1 of CEPA, the process”—and we’ve heard this again—“does



not seem to be open, transparent or clearly documented based on risk.”

It goes on, and I stress again that these words, these presentations, these recommendations are coming from the very companies that are a major part of the industrial employment force that we rely on to keep our shrinking economy from completely disappearing. It goes without saying that we're in trouble on that front as we continue to debate the environmental legislation that's coming forward now, and we anxiously await some economic legislation.

I would like to refer to another organization, the Canadian Paint and Coatings Association. They represent something like 236 paint manufacturers. To date, they employ 15,000 people. Their sales come in at around \$2 billion a year. Here's what they told us on the issues of federal duplication and the linchpin definition of what government, through Bill 167, considers toxic. I quote the paint people: “The proposed bill gives the authority to the Minister of the Environment to ban or restrict the manufacture and sale of products, including those that may be deemed safe through scientific review by the federal government. Expanding or mandating administrative activity to products, with no scientific basis or transparency and with no health, safety or scientific rationale, would seriously undermine the Canadian regulatory system.” The paint and coatings association indicates, “We are concerned that provincial efforts to categorize ‘toxic’ substances may differ from the science-based risk approach of the federal government, resulting in substances deemed safe at the federal level but deemed toxic in Ontario.” Again, we used this material for one of our recommendations to that effect.

They go on to say, “In fact, there is a great deal of existing legislation and regulation in Canada that the paint and coatings industry meets or exceeds, and they are all aimed at delivering on the same environment or health and safety objectives. They provide consistency for the safe use of chemicals in products and, if required, they can be properly risk-managed, including removal from the marketplace. CPCA”—this is the paint and coatings members—“and member companies would suggest that additional provincial legislation would put the national regulatory framework at risk. It creates confusion and duplication in the marketplace, adds costs to an already economically stressed manufacturing sector and hurts Canadian competitiveness....

“It is well established nationally and internationally that a scientific evaluation of chemical substances to determine the potential harm or danger takes both exposure and hazard into consideration.” Any discussion of exposure or hazard is not found in this legislation.

They go on to say, “The definition for chemical substances in Canada to be called ‘toxic’ takes into account the likelihood and the magnitude of releases into the environment and the harm it may cause to human health or ecosystems. If a substance is found to be CEPA-toxic,”—that means toxic with respect to the Canadian Environmental Protection Act—“the federal government

is bound to work with the provinces, territories, industry, non-government organizations and other interested parties to develop a management plan to reduce or eliminate the harmful effects that substance has on the environment and the health of Canadians. This process is working,” according to the Canadian Paint and Coatings Association.

They reiterate, “Ontario, however, defines ‘toxic’ as ‘anything that can cause harm,’ regardless of how much or how the substance is used. This proposed definition covers essentially every substance, natural or man-made. CPCA and our members recommend that Ontario harmonize its ‘toxic’ definition with the CEPA definition and avoid legislation that may be at odds with the federally legislated definition of ‘toxic.’”

This is from Mark Nantais, president of the Canadian Vehicle Manufacturers' Association, who makes a specific reference to their use of zinc: “Let me give you a simple example to illustrate why it is so important to have a clear definition of ‘toxic.’ Zinc is used in auto assembly operations and in parts and components manufacturing to prevent corrosion. Because of its anti-corrosion properties, alloyed zinc is an inherent element in sheet metal that helps maintain the integrity of structural components, fasteners and other miscellaneous sub-assembled vehicle components. The act, as it is currently drafted, implies that resources would have to be expended to account for inventories of zinc in our facilities even if it is already integrated into a part or component of the vehicle. The potential outcome could be to force manufacturers to develop mandated plans to reduce the amount of zinc in sheet metal. Aside from the significant resources and reporting relative to inventories of zinc alloyed in steel, this really illustrates the need for a clear definition of toxics to ensure that an appropriate focus is taken under the legislation. We could really be asking ourselves whether the intent of this legislation is to ensure vehicles are less safe and rust more quickly. I don't think that was the intention of the act at all,” according to Mr. Nantais.

I'd like to read the words of another organization. This person spoke before the committee and had concerns regarding, again, defining toxic substances and also had some serious concerns with respect to a new piece of legislation that's going to duplicate what we already have in Ottawa.

1720

I wouldn't have had to read all this stuff if the government had listened to the deputants before their own committee. Perhaps if members opposite understood the importance, we would have been able to deal with this in committee, but ears were deafened yesterday. To that end, I wish to present some advice from the cement association, who told us, “The approach of managing toxic substances outlined in the proposed act has the potential to be very duplicative, especially of the approach that is currently being administered by the federal government through the chemicals management plan and the designation of toxic substances under the schedule 1 toxic sub-



stances list of the CEPA, 1999. The federal toxics process has involved substantial consultation with industry, environmental groups and non-governmental organizations, as well as the general public," and it is broadly endorsed.

"In 2006, Canada became the first country to complete the risk-based prioritization or categorization of roughly 23,000 existing substances being used domestically.... These substances were evaluated with regard to their toxicity, their persistence in the natural environment and their potential for bioaccumulation.

"Through the chemicals management plan, the government of Canada has initiated an information-gathering and risk assessment process for the highest-priority substances identified through the categorization process. Where warranted as a result of these assessments, the federal approach also provides for extensive measures to control the use or release of the substance."

The cement association goes on to say, "I would like to remind honourable members that Ontario, as part of the Canadian Council of Ministers of the Environment, pledged to take a harmonized approach to toxics management with the federal government. To be consistent with this pledge, we recommend that the Toxics Reduction Act, first, formally recognize the potential for overlap and duplication, especially with the federal government's efforts, including the chemicals management plan and the CEPA toxics process; and secondly, we'd ask you to provide the Minister of the Environment and his staff with a specific directive that would say there should be no overlap and duplication with current schemes out there."

So, you see, Speaker, there are many out there who are pleading with this government to take its finger off the trigger before this "painting of all substances with one toxic brush" approach deflates the air of what's left of our economic balloon. Simply put, there is a simpler way, a less duplicative way, a less costly way, and it lies in the utilization of a science-based, toxics-listing approach embodied in the federal Canadian Environmental Protection Act.

That's why I took the opportunity just yesterday to read the following amendment motion at committee clause-by-clause deliberations. If you will bear with me, you'll get an idea what we listened to for three hours yesterday:

"'toxic substance' means, subject to subsection (2), a substance, other than a metal or alloy"—that was advice from the Ontario mining industry—" (a) that is identified as a toxic substance in schedule 1 of the Canadian Environmental Protection Act, 1999 or that has been determined to be a toxic substance through the application of a process equivalent to the chemicals management plan under the authority of that act...."

I think, Speaker, you can guess how the votes went on that particular amendment, being an opposition amendment.

*Interjection.*

**Mr. Toby Barrett:** No, that wasn't the only sticking point to which the members opposite turned a blind eye

and a deaf ear. The list goes on, many highlighting the entire lack of a science-based, a risk-based approach towards toxics, ensuring that in effect more resources, more dollars are going to be spent on paperwork and more money is going to be spent on accounting and filling out forms than actually targeting those substances that essentially do the most harm to human beings and to our natural environment. Once again, amendments on this front were quite wide and varied.

I refer to a presentation from Dr. Bristow of the Canadian Petroleum Products Institute. He went on to say, "Bill 167 states that the purpose of the legislation is 'to prevent pollution and protect human health and the environment by reducing the use and creation of toxic substances.'" CPPI believes "that the most important test of any toxic reduction strategy is the minimization and, where science dictates, the elimination of human exposure, not how substances are used in the manufacturing process."

Dr. Bristow indicated, "Substances that are contained within closed lines and vessels do not themselves present a risk to humans or the environment." I think of an oil refinery, for example. Crude oil comes in one end. Crude oil is a toxic substance. In their processes there really is no alternative to crude oil. The same with mining and smelting; there really is no alternative to the rocks that they use. Much processing is based on wood fibre. Where would we find alternatives to trees, for example, to use in these industrial processes? With respect to the toxic substances that much of the industry deals with, he indicates, "Our member companies have very extensive emergency preparedness processes to help prevent the possibility of releases and to deal with them rapidly."

Dr. Bristow believes that for large complex organizations—he uses the example of refineries—to meet the requirements for each process in a facility that uses or creates the substance, the substance is tracked and quantified. That's what this government is asking for. However, as he states, "The cost of compliance will hurt the competitiveness of Ontario refining, and that level of detail is neither necessary nor useful in terms of reducing toxics that present real risks to people through exposure."

How oil refineries would meet these kinds of requirements, these kinds of targets—and I know that the targets proposed by the NDP were quite stringent. I think one recommendation called for a 50% reduction over five years. I received an e-mail after that one indicating that that would actually shut down refining in Ontario and they would have the option of refining product outside of Ontario and then shipping it in.

What the petroleum people are trying to impress on us is that both business and government resources would be more successful in reducing the impact of toxics on us and on our environment if we adopted an approach that addressed the need to target those substances that do the most damage, target the ones that create the most risk. Why spend time and money on listing, accounting for and filling out forms for substances that are not going to do any damage to people or our environment when we



could be better utilizing our time and our money on attacking the most impactful substances and reducing them or eliminating them right away from the beginning? Why reject a results-based approach in favour of, essentially, what seems to be a process-based approach? Maybe that makes a bit too much sense. I don't know.

Chris Hodgson came forward to testify. He represents the Ontario Mining Association, and he thinks that risk-based decision-making on toxics makes sense. He told us, "Toxicity will vary according to the nature of exposures—inhalation, skin contact or ingestion—the form of the substance to which exposure occurs and duration of exposure. This is why we strongly urge the government"—this is the mining association—"to refrain from the inclusion of substances based solely on consideration of their inherent toxicity without a disciplined consideration of exposure, which is a critical element of full risk evaluation and thoughtful management of chemical substances."

1730

He went on to say, "This is not simply an industry stance; it's an issue of science, identified by the scientific expert panel that the Ministry of the Environment has commissioned to provide guidance on its toxics reduction strategy."

That same day, the Canadian Chemical Producers' Association and BASF Canada came forward to testify before the committee. It would be quite appropriate for them to have a say in this. They also talked about risk. Here is part of their testimony:

"Conceptually, reducing people's exposure to toxics is fundamentally sound; however, reducing toxics use will not accomplish this. Use could go down, but releases or emissions could go up. We have to reduce the risk of exposure to toxics."

Their testimony went on to say: "I'd just like to refresh your minds with respect to risk. As you know, risk is equal to hazard times exposure. Consequently, if we can reduce the probability of exposure, we can reduce the risk associated with toxics."

They used the example of chlorine and water. Chlorine is a toxic substance. Chlorine is a hazardous substance. That's why it's put in drinking water in so many municipalities, not all municipalities. It's put in swimming pools, for example, to do its job as a hazardous substance.

They went on to provide several, I would say, kind of worrying examples and unintended consequences, things that could happen if you don't focus on risk, or there might be substitutions of substances that are not on this list of toxics but actually have a higher risk. One example they used was polymeric diphenylmethane diisocyanate, also known as MDI. It's a key component in making polyurethane foam. It's an industrial adhesive. It's used to make oriented strand board, also known as chipboard.

MDI is listed in schedule 2 of the toxics reduction strategy document. A number of mills are required to plan on reducing the use of MDI or explain why they won't. They really have no viable option for reducing

use. If they did reduce the output, this would make them less competitive with other strand board mills in other jurisdictions. If they switch back to only using, say, phenol formaldehyde as the glue, they would produce an inferior product. If you produce an inferior product, what happens? You lose market share, and the result is larger emissions of formaldehyde from both the mill and from off-gassing of the board if it's contained in people's homes.

MDI is safely used in these mills. It's governed by strong occupational health and safety regulations, and there are minimal emissions from the mill. MDI also reduces the off-gassing from the board. MDI is also used to make polyurethane insulating products such as steel foam doors—I have these in my garage; insulating panels; and spray foam insulation. These products greatly increase the energy efficiency of buildings, resulting in less heating use and fewer greenhouse gases.

They indicated, "We have a plant in Smiths Falls ... employing 22 people, that makes specialty aluminum pigments for the export market. Aluminum is the first product listed in schedule 1. The facility has minimal emissions of aluminum from the site. Their options, under this legislation, would be to move to another jurisdiction or to state that they have no intention to reduce use."

So I note—I know my time is wrapping up—that a risk-based approach is much of what has brought a lot of the attention to this issue in the first place, and that's the approach I feel is incumbent on this government to focus some of their efforts on.

Just to wrap up, we are in very tight economic times. There's a clear need to ensure that our efforts, not to mention our dollars, are going where they can do the most good. I would respectfully say that that work and that money in listing and tracking all these substances that are not released as part of normal operations really isn't going to give us much of a bang for our buck.

If I had more time, I could go into some other aspects of this legislation—

**Mrs. Carol Mitchell:** Let's give him more time.

**Mr. Toby Barrett:** Take some more time? Thank you. I may have heard unanimous consent.

I think the most important point is that we have to focus, we have to concentrate our efforts on those particular substances, those emissions, those releases into the environment that have the most impact on that environment, those releases that have the most impact on human beings.

If you want efficiency and effectiveness in an approach to toxics reduction, why not establish toxicity thresholds for most of the substances you're talking about, and then target the reporting, target the management of this file, target your plan, target the development of this initiative only on those sectors and those activities that handle or release these substances?

I put that forward as my concluding remarks. Perhaps it just makes a little bit too much sense for this government, but I'll leave that with the House.



**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Peter Kormos:** I listened carefully for the last hour, and I applaud the member for Haldimand–Norfolk for his thorough consideration of the legislation.

I'm afraid we've lost most of our audience. Well, this isn't the most exciting stuff in the world. I'm going to be standing to speak to it in, I suppose, around 10 minutes' time.

I expect the bill will pass with a large majority, if only because there is a large majority. The Liberal backbenchers, of course, will vote for it, and cabinet ministers will vote for it. I expect as well that the New Democrats will vote for it, but notwithstanding that—and when I rise in a few minutes' time, I'm going to be asking for unanimous consent to hold down, to defer the lead comments of our critic, Peter Tabuns from Toronto–Danforth. He's in committee this afternoon and can't be here. I'm looking forward to his critical analysis of this legislation.

I intend very much, in the brief time given to me, to respond to the government's enthusiasm—albeit, I'm sure, concocted and feigned—for this bill. I intend to respond by referring, amongst other things, to the statement made today by the Canadian Cancer Society, which leaves some real doubts about just how effective this legislation is going to be. Is it cosmetic? Is it jumping on the bandwagon? Is it what this government has done so many times, and that is, merely adopt the flavour of the month in an effort to lull voters to a position wherein they think the government's doing the right thing?

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**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Kevin Daniel Flynn:** It's a pleasure to follow the member from Haldimand–Norfolk. I, too, listened intently, and certainly I think what we were hearing today was a much different opinion than this government holds on this proposed bill—and it's really wonderful to hear that the third party is going to support it. I don't know what the Progressive Conservative opposition is going to do. I'd suggest they support it. They can do what they like.

I want to read into the record some of the things that have been said about this bill. Let me tell you what the Canadian Cancer Society says. The Canadian Cancer Society congratulates the government “for taking the first step towards reducing toxic substances in Ontario.”

Later, they go on to say, “The society is pleased the government plans to invest \$24 million to help support industries transform their process, find green chemistry alternatives and reduce the use of toxics in their operations.”

They also go on to say, “The society supports the government's commitment to inform the public about toxic chemicals in their environments and provide Ontarians with a summary of industry's toxic reduction plans.”

There you have three very recent quotes from the Canadian Cancer Society, Ontario division, taken from a submission that was made to the government, that was made to the committee.

Clearly, what you have now is one province in all of Confederation that has taken a lead role in this regard. This is, I think, the sort of leadership that Ontarians expect from their government. It's a step forward that other provinces haven't seen fit to take yet. I hope they follow suit because, clearly, public support for this type of initiative is overwhelming. It surpasses water pollution, climate change and air pollution.

It's really great to hear that at least one party is going to support it, as well as the government. I'd suggest the PC Party take a good look at it as well.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Robert Bailey:** I'd like to commend the member from Haldimand–Norfolk. I think he has given a clear, concise explanation of the shortcomings of the bill. I listened intently to the explanations that he gave as he outlined the various testimonies and opinions of many people who came and made deputations to the committee, and as he highlighted the need, in our opinion, to take a risk-based approach to this bill versus what the government is doing.

Like the pesticides ban, we're seeing government decisions, legislation and regulations based on emotions and concern as opposed to fact and science.

This legislation creates unnecessary duplication. The federal government has already developed what many consider to be a world-class chemical management plan, the CMP. The CMP is governed by the Canadian Environmental Protection Act, otherwise known as CEPA, and has a well-known approach to deciding what chemicals need to be assessed, and a rapid and aggressive timetable for doing those assessments. Different industry groups told us that adhering to the federal CMP would ensure that toxics identification for potential reduction are based on a sound science and risk-based process, while avoiding regulatory duplication and minimizing added costs. In the process of following this provincial direction, what they have told us is that we would be duplicating work and costs that would be more effectively utilized in other areas to achieve our toxics reduction goals.

This bill even fails to inform what the word “toxic” means and leaves that up to regulation.

Finally, today there's debate about the success of the Massachusetts plan. Some attribute the toxics reduction in those areas to businesses actually leaving that state. Everybody talks about California. They're in a major deficit position today. Businesses have fled from there. Massachusetts is in the same boat. I hope that's not going to be what happens in Ontario.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Gilles Bisson:** I appreciated the comments made by the member from Haldimand–Norfolk. I thought he did a pretty extensive presentation, from his particular view, of the legislation. I don't agree with all of what he said.



I would just say that if this was a bill that would have been introduced by a Minister of the Environment from our caucus, it certainly would have had more teeth. I always thought the biggest problem with this is that it's a voluntary program; that if you're really serious about reducing toxic emissions into the atmosphere, be it air or water, you've got to set some goals. There have to be some goals that are set by the government by way of legislation, eventually into the regulations—that set goals and timelines by which you expect society to get there. What should those goals be? What should the number be? I think that is something that would have to be determined by some of the comments that we heard in committee. But certainly this legislation is nothing that you should write home about, be all excited about and say that all of a sudden we've got this great plan to deal with toxic waste, because in fact what you've got is a shell of a bill that at the end doesn't have any kind of timeline. It doesn't have any kinds of goals and targets of where we expect people to get. It's one of those bills that we're used to hearing this government talk about: warm, kind of fuzzy, a great title. The concept as far as the idea is great. Everybody should be onside. After all, we're only talk about toxic emissions. Everybody doesn't want toxic emissions; therefore it's got to be a good bill. But like a lot of the government bills, I think, although the titles are really nice and the concepts are not bad, they lack the kind of teeth that are needed really to move us to where the title of the bill is trying to take us.

What do you do in a case like this? Do you vote against it? Probably not. I'm not excited about voting for this bill, but certainly the concept is good. It's not a step in the wrong direction; it's a step in the right direction, but it's a pretty minute step forward. If anything from this government brings us forward, I guess it's an opportunity for us to participate.

**The Acting Speaker (Mr. Ted Arnott):** I'll return to the member for Haldimand–Norfolk, who now has two minutes to respond.

**Mr. Toby Barrett:** I'd like to take an opportunity to thank the members who commented on this proposed legislation. It is very important to discuss this and to air it.

The member for Sarnia–Lambton referred to this legislation as emotion-based. When you're dealing with these kinds of chemical products and the various industrial, smelting, mining and manufacturing processes, I posit that it's very important to take a modicum of science-based approach to this.

Several of the presenters made reference to a term, an issue they wrestle with, and that's referred to as chemophobia. I would hope that this government is not pressing the fear button. I hope they are not banking on polling opinions out there within the general public. I hope they're not catering to those people who may be chemophobic, even though they use these products on a daily basis. I hope that's not the underlying reason why they would bring this kind of legislation forward.

Of course we all agree with the title, “toxics reduction.” That's about where it ends as far as our agreement,

because we feel that this government went down the wrong road with respect to dealing with toxics in our society and to the point of duplicating what is already in place by the federal government.

I know the Sarnia–Lambton Environmental Association also had some very serious concerns about chemophobia and the release of so much of this information to an unknowing general public.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Peter Kormos:** First, Speaker, I seek unanimous consent for the lead comments by the NDP critic, Peter Tabuns, the member from Toronto–Danforth, to be deferred because Mr. Tabuns is in committee this afternoon.

**The Acting Speaker (Mr. Ted Arnott):** Mr. Kormos is seeking the unanimous consent of the House to stand down the lead speech for the New Democrats. Agreed?

*Interjection.*

**The Acting Speaker (Mr. Ted Arnott):** Agreed?

I return to the member for Welland.

**Mr. Peter Kormos:** Well, that was a little dicey. The Speaker showed great diligence in ensuring that in fact there was unanimous consent.

Peter Tabuns, the NDP environmental critic, the member for Toronto–Danforth, has been a strong advocate, along with the NDP, of right-to-know legislation.

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I come from down Niagara way, as you well know. Back when we had manufacturing jobs down there, the relevance of toxic substances in the community, both the manufacture of them, be it at places like Cyanamid out toward Niagara Falls along the Welland River or be it in workplaces where they were used as part of the production—it's very relevant. Of course, it's far less relevant now. Atlas Steels has been torn down; it doesn't exist. Union Carbide has been torn down; it doesn't exist. Literally, the building doesn't exist. John Deere, 800 employees: The building will soon be a shell, and I suspect in short order it will be torn down too.

I've got to tell you, my father worked at Atlas Steels. He was one of that army of, oh, 1,500 men. It was men in those days; women started working there eventually. You would see them marching down the street because they walked to work, as often as not, with that black lunch bucket in hand; do you remember the one I'm talking about, Speaker? You know, the green coveralls—as I say, he was an electrician at Atlas Steels, working on big transformers and so on full of PCBs. I remember as a preschooler, just a little kid, being delighted at my father coming home from work, because almost inevitably, there would be half of a peanut butter and jam sandwich left, wrapped in the waxed paper; half of it, which meant that the waxed paper was coated with the grease and oil, and as he tore the sandwich in half, the remnant of the sandwich actually had that faint odour of industrial oil to it. Well, I ate those on a daily basis. Lord knows—

*Interjection.*



**Mr. Peter Kormos:** See, now Ms. Smith is nodding knowingly, saying that now she understands. Sometimes she can be so unfair. I'm telling a delightful story, a nice story about a kid growing up in a working-class family, a father who worked hard, real hard, and came home with dirty hands—you bet your boots he did—and, as I say, a half of a Wonder Bread peanut-butter-and-jam sandwich that was lightly stained by the oils that he had acquired during the morning, the first half of his shift, as he tore the sandwich in half. I took delight in devouring that sandwich—and again, the almost Pavlovian joy in the odour of the slightly oily sandwich, having been in that lunch bucket stored on a shelf in a change room at Atlas Steels.

But of course, Atlas Steels is gone. We've got very little left; very little. We've got a casino in Niagara Falls—we've got two of them, actually, that are laying people off. We've got a racetrack down in Fort Erie that's on the ropes. It's one of Ontario's great historic racetracks, over 100 years old. It may well be in its last season.

No longer are those armies of working people marching off to Atlas Steels or Page-Hersey or Union Carbide or General Tire, the rubber plant; they make auto parts, you see. Every time I see a Japanese car or a BMW or a Volkswagen out in the parking lot here assigned to a member, every time I see one of them and I know it's a member's parking spot, I say, "There's a member of the provincial Legislature who is helping shut down GDX," the old General Tire down in the city of Welland, where hard-working women and men had made, but probably won't be able to continue to make much longer, auto parts.

AbitibiBowater up in Thorold, shutting down for a month at a time: That was a plant that could never shut down because, of course, they used recycled paper, right? They're the people—we call them grey boxes now because we use the blue boxes for the plastics. The community has done pretty good at disciplining itself, because we've got blue boxes for Styrofoam and plastic and we've got grey boxes for paper and light cardboard, like cereal boxes. This is down in Welland; this is small-town Ontario. This isn't big, sophisticated Toronto, the Birkenstock crowd; this is down in Welland. And we've got the green container for the potato peelings. Down on our corner, on the corner of Bald Street there, we share a composter in the back. I don't produce a whole lot of garbage. I'm not home that much, just like you. But if there are ever such things as potato peels or the remnants of vegetables, of course I take them out to the composters. That green box isn't used a whole lot on the corner of Bald and Denistoun. The Cheel-Dick family over on one side and the Wightman family on the other—we share the black composter.

As I said, New Democrats at this point are highly unlikely to stand up and vote against this legislation. I listened carefully to the comments of Mr. Barrett. He gave a very effective and thorough critical analysis of the bill. I know that when Peter Tabuns talks to the bill—because we talked about it earlier today at our caucus

meeting—he's going to say, "Well, fine, here it is again. Here's a bill that talks about the need for people who use or manufacture toxics to develop a plan." But at the end of the day, because you already heard folks say—there's no yardstick here in the legislation, is there? It doesn't say that you'll reduce toxics by X percentage or by any volume amount—no yardsticks whatsoever. This is feel-good legislation. Do you know what I'm saying? This is "scratch them behind the ears and they'll follow you home" kind of legislation; this is "a cheese tray and a couple of bottles of Pelee Island wine" kind of legislation; this is "a bowl of Dr. Orville Redenbacher's in front of a late-night movie" kind of legislation. Look what the cancer society had to say today, and I'm referring to the Canada NewsWire coverage of the Canadian Cancer Society's press release: very serious concerns.

I don't know about you, but the Canadian Cancer Society has some legitimacy where I come from. They are not political; they are not partisan. They know about these kinds of things, because of course one of the issues around toxic control and toxic reduction is the fact that it's carcinogenic stuff, by and large, like those PCB-laden Wonder Bread peanut-butter-and-jelly sandwiches. The Canadian Cancer Society is not pleased at all about Bill 167, this legislation, now in its third reading. It's concerned; the Canadian Cancer Society is concerned. "The Canadian Cancer Society is concerned that Bill 167, Ontario's Toxics Reduction Act, has emerged from committee hearings lacking the key amendments to ensure its effectiveness."

Does one have to really go beyond that? "Lacking the key amendments to ensure its effectiveness": Let's restate that. The Canadian Cancer Society says that this legislation may not be worth a pinch of forest dust. The Canadian Cancer Society is saying that it's ineffective, because the amendments that were proposed at committee, in an effort to make it more effective—and look, Peter Tabuns worked hard in committee, along with other opposition members, to try to make the bill do what it purported to do.

What does the CEO of the Canadian Cancer Society, Ms. Susan Whelan, say? She says, "We're disappointed at the lack of teeth in the proposed legislation. As it stands now, Bill 167 will not live up to the government's commitment to reduce the use and release of toxic substances in Ontario." This is significantly at odds with what the skillful performance of the parliamentary assistant would have us believe.

The Canada NewsWire article of today, June 2, says, "The society"—the Canadian Cancer Society—"along with environment, labour and other health groups have been calling for measures to strengthen Bill 167." Once again Susan Whelan, the CEO of the Canadian Cancer Society:

"While we support the Ontario government's commitment to reducing toxic substances, we are concerned that without targets, mandatory substitution of safe alternatives and a toxic use reduction institute, this bill may not provide Ontario workers and the public with strong



protection from exposure to toxic chemicals, including cancer-causing substances.” That’s what Susan Whelan, the CEO of the Canadian Cancer Society, says today.

I think it’s a particularly interesting observation about the failure to require substitution when a safer alternative exists. Let me tell you, down between my house—the Wightmans, Rob and Sherry, live one from the corner and I’m on the corner. We’ve both got houses that are just approaching 100 years old, the typical two-and-a-half storey, red-brick houses with a big front porch on them and huge maple trees in the front yard. Oh, around 12, 13 years ago, we dug out the area between the two houses and we put in a brick patio—more than 12 years ago. Gosh. We dug down, we put three-quarter-inch stone and we dug a drainage ditch out to the curb and laid stone in that, and we had the black, perforated plastic pipe going out to drain the water from the patio, especially in wintertime, so it wouldn’t freeze and heave. But I didn’t put that black plastic paper stuff underneath the stones and I’ve regretted it ever since. Because you know what happens, huh? Grass grows. I don’t mind the moss.

The moss gives it a little bit of a rustic look, because they’re not like modern stones. They’re like cobblestones.

*Interjection.*

**Mr. Peter Kormos:** Aw, Speaker, let me finish, okay?

The issue is Ms. Rosie, the neighbour—I say, “No, get up off your hands and knees. We can’t use pesticides anywhere and we don’t want to.” She’s got cats, right? She’s got those semi-feral cats I told you about. So I’m looking for 20% vinegar, horticultural vinegar, which is the substitute, because you can’t use 5% vinegar, you know, the stuff for your French fries, the little packets from McDonald’s. But you tell me where to find 20% horticultural vinegar, and I’ll get you a gallon of it too, Speaker.

*Third reading debate deemed adjourned.*

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much. It being 6 o’clock, this House stands adjourned until tomorrow at 9 a.m.

*The House adjourned at 1802.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Clerk / Greffière: Deborah Deller

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Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
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<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général
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Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Bryant, Michael (LIB)	St. Paul's	
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Craitor, Kim (LIB)	Niagara Falls	
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Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
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Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	



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Flynn, Kevin Daniel (LIB)	Oakville	
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Gélinas, France (NDP)	Nickel Belt	
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Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
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Mauro, Bill (LIB)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Minister of Economic Development / Ministre du Développement économique Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
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McNeely, Phil (LIB)	Ottawa–Orléans	
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Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
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Moridi, Reza (LIB)	Richmond Hill	
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Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	



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Prue, Michael (NDP)	Beaches–East York	
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Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader, Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
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Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Small Business and Consumer Services / Ministre des Petites Entreprises et des Services aux consommateurs
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
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<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth–Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
<b>Wilson, Jim (PC)</b>	Simcoe–Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
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<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
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Garfield Dunlop, Kevin Daniel Flynn  
Tim Hudak, Amrit Mangat  
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**Standing Committee on Finance and Economic Affairs /  
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Public



No. 158

N° 158

ISSN 1180-2987

## Legislative Assembly of Ontario

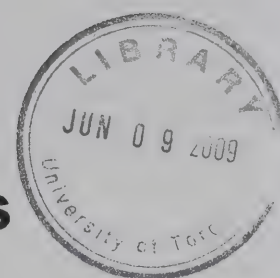
First Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)



Wednesday 3 June 2009

Mercredi 3 juin 2009

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
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Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 3 June 2009

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 3 juin 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the Sikh prayer.

*Prayers.*

### MEMBERS' EXPENDITURES

**The Speaker (Hon. Steve Peters):** I beg to inform the House that today I have laid upon the table the individual members' expenditures for the fiscal year 2008-09.

### ORDERS OF THE DAY

#### TOXICS REDUCTION ACT, 2009

#### LOI DE 2009 SUR LA RÉDUCTION DES TOXIQUES

Resuming the debate adjourned on June 2, 2009, on the motion for third reading of Bill 167, An Act to promote reductions in the use and creation of toxic substances and to amend other Acts / *Projet de loi 167, Loi visant à promouvoir une réduction de l'utilisation et de la création de substances toxiques et à modifier d'autres lois.*

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. John O'Toole:** It's a real pleasure this morning, although a little earlier than expected, to have the privilege to speak on Bill 167. I have listened carefully to the debates thus far, and I've come to a couple of conclusions that would lead me to think that this bill, in some persons' minds, goes too far, and in others' does not go far enough. So I'm going to dwell on some of the things that are more practical in nature—as soon as I find my notes.

Just a couple of things at the outset: It's a fairly intensive bill, a red tape bill, if you will. There have been hearings. In fact, I'm kind of curious. The longer and shorter story here is that I'm curious as to how the government can live with this. They've kind of rushed it. It was introduced on April 7 and had second reading on May 5. Then it had hearings. Now, even to the extent of the hearings, I was in contact with some of my constituents—Detox Environmental, a very large and very successful but, I will say, very environmentally conscious business that deals with spills and other kinds of things, and many of these people work directly with the MOE, the Ministry of the Environment. I wanted them to have

an opportunity—either them directly, or through their stakeholder organization—to present to the committee, but the committee was rushed as well. There were a couple of days in committee when the House was down—and it all gets down to the same old, what's the rush here?

This is an important thing. I want to make it very clear. Our position as a party is very clear. You might say that this bill—the government members often say that we're not in support of this. In fact, it is our idea. Let's be clear on this: We said back in 2007—and now it's 2009; that's two years ago our policy was out there—“Tory Announces Made-in-Ontario Plan to Reduce Toxins.” I have the details here. It's a public statement. It's a press release. It's a plan with real action and real strategy to reduce and/or eliminate, and create more public awareness of, toxic substances. The goal of course was to eliminate and, at the least, reduce.

Now, it was modeled after a plan called the TURA plan, the Toxics Use Reduction Act that was executed in Massachusetts some years ago, I think it was in 1989. So we're quite aware and quite supportive of doing the right thing. We didn't do polls. We said that this is just good public policy. I'm surprised that somehow the characterization by the member from Oakville especially, pointing fingers at us when he should be pointing the finger at himself. They had the public hearings; even the Canadian Cancer Society responded unhappily.

Now, I see the member from Cambridge coming in. He often gets upset that I use part of his desk, so I'll put that aside. He is quite fussy at times. But he is a good friend at that.

Here is an e-mail I got from Kathleen Perchaluk—recommendations from them to strengthen the Toxics Reduction Act. It says:

“Mr. O'Toole, as you know, the Toxics Reduction Act will be debated during second reading in the Legislature.” Now, this was back in April, and as I said, they rushed the hearings; our member from Haldimand-Norfolk can tell you that. I think he said it in his hour leadoff yesterday. It says, “As you may be aware, the Canadian Cancer Society, along with other health, environmental and labour groups, has been calling for specific measures to be included in the Ontario toxics use reduction legislation. Our recommendations are based on best practices in other jurisdictions and are echoed by the Ministry of the Environment's toxics reduction scientific expert panel.” The final memo was released on April 7. So there was some consultation here, but they just didn't get it right.

Now, how many amendments were there?



**Mr. Toby Barrett:** Sixty-two altogether.

**Mr. John O'Toole:** Sixty-two, and none of them were passed. That's completely unconscionable. What is the rush here? We're in support of the concept; we initiated the concept. We know that imitation is the finest form of flattery. We're fine with that. We're fine with supporting it. But when I hear agencies like the Canadian Cancer Society—here's what they say: "To ensure that the Toxics Reduction Act will integrate the best practices in health protection with the concern for a sustainable economy, a clean environment and good jobs, the following five Rs need to be included in Bill 167." Here are the five Rs, and they're quite simple and straightforward. Why didn't the government, why didn't Minister Gerretsen act on this advice? What is the plan here? It's to be seen to be doing the right thing, but in fact there's another game afoot.

There's some strong language in the legislation, but it's strong on hiring enforcement and inspectors and stuff like that—warrantless entry—that's the kind of stuff they've got going on here, but I'm going to stick to the Cancer Society's statement. Here are the five Rs:

"Reduce the release of toxic chemicals in places where people live, work....." Bill 167 does not include numeric goals or targets.

"Replace toxic chemicals where safe alternatives exist." This is the Canadian Cancer Society: "Bill 167 should make substitution a requirement...."

"Restrict the use of toxic chemicals that are still in use through guidance from the Ontario Toxic Use Reduction Institute (OTURI).

"An institute was an important component to the success of Massachusetts's TUR legislation...." It is currently not part of the proposed legislation. The weaknesses here are evident: independent, non-partisan experts as opposed to the political interventions that I see in this legislation.

0910

"Report annually on progress and monitor emissions, holding industry accountable to reduce their use of toxic substances through the development and enforcement of new regulations." These are their comments: "Setting targets and the development of an institute will help hold industry accountable by the government and the public."

"Reveal to all Ontarians the toxic chemicals in their workplace, community and homes through an identifiable product label or symbol and access to a public database.

"Bill 167 should include a component for product labelling."

There's the five Rs. They have failed completely on each and every one of those requests. In fact, they ignored—to their peril, I believe—the advice given by the cancer society. I appreciate the letter here and the other communications from Rowena Pinto, senior director of policy at the Canadian Cancer Society, Ontario Division. The society strongly feels that all Ontarians have the right to know if they are being exposed to carcinogens in the products that they use every day. The society believes there should be a strong focus on community right to

know, because with more information about toxic substances we are being exposed to, Ontarians can make a better decision about their health and the health of their families. A strong community right-to-know component would fulfill one of the government's key objectives of Bill 167, which is to inform Ontario.

Look, I want to repeat, at the risk of sounding redundant or rhetorical here, that we believe in this goal. It's clear the government does not. I don't know what their agenda is; I wouldn't impute motives. I have no clue on why they're doing it the way they're doing it. All of the deputants—it's my understanding from the member from Haldimand-Norfolk, who sat through the days—was it one day of hearing?

**Mr. Toby Barrett:** Two days.

**Mr. John O'Toole:** Two days and then they had clause-by-clause.

Let's put context around this. Ontario is a large province that represents probably a third of the population of Canada, probably about—well, it used to be 50% of the economy of Canada. It's now dead last; it's probably a smaller component. It's tragic. The whole thing seems to be going in the wrong direction. But here's the issue: We really believe that we've got to work in partnership, and here are the partnerships, Mr. Speaker. You would know this, because you spoke yesterday about not wanting a wind turbine in your riding.

Here's the issue: The federal government has, as we know, CEPA, the Canadian Environmental Protection Act, and they have the CMP, the chemical management plan. In this, there are federal standards. Why is it so important that we have national standards? Well, it's very simple: You can't work in isolation in the economy of North America, let alone the economy of Ontario. Whether you are importing or exporting products, trading or transporting products—and the product labelling, with the trucks that go down the road that have these hazardous labels on them—there need to be national standards and there needs to be conformance with those standards; that's the first and primary role of Ontario.

I can't understand why—it's sort of like the Cosmetic Pesticides Ban Act. There's another case where they want to appear to be doing the right thing but in fact there are federal standards. It's called the pesticide management act, and it's the same thing. Federally, we do have these standards, and Ontario is sort of going it alone. It would be different if they were making it stronger. They're not. They're actually not making it stronger, they're making it weaker or more—how would you say? They call it transparency, but it really is making it more confusing, because for the—let's work this down to the small business person, a small shop. We're dealing with another bill—I don't like to mix them up—the apprenticeship bill, which is a tragedy in itself—another thing they've screwed up. But here's the issue there: A small shop; they're going to have all these manuals, big piles of manuals. What are they doing today? I looked at it. In fact, I worked in industry for about 30 years. I worked in the components of training, safety and personnel, but I



actually worked as a plant manager—not the manager of a plant but of a section in a plant, a very successful company at the time. The point is that I clearly recall in my 30 years there that we had rules at the time, and they were called OHSA, the Occupational Health and Safety Act.

I have another one of my peers—they must have come this morning to hear me speak, I guess. They're normally not here all the time.

Paramount under the Occupational Health and Safety Act, there were clear rules of worker safety, the workplace hazardous materials information system—they were called WHMIS rules. Many members here—probably Mr. Leal from Peterborough—would remember WHMIS rules. WHMIS rules were an information system where you could access materials that could expose you to risk. These rules were how to handle, contain, control, safety precautions, cleanup precautions and what the constituent parts were, outlined on sheets called MSD sheets. These sheets were unique to each product and what treatment action would be required if your skin or other parts of your body came in contact with it.

So it's not like there were no rules on this. They're acting like they're inventing something. They're not; they're interfering with something, with a system. The principle here is, what are they trying to do? First of all, they're rushing it through. They're not listening to the stakeholders—they never adopted one amendment—and they want this thing done this week. They're probably going to have to time-allocate it. What's the rush?

Let's get it right. We want to do the right thing; I think you don't want to do the right thing. But they're the government, and at the end of the day they will force—their members will have to vote, otherwise they'll be kicked out of their caucus. Those members will dutifully vote yes, like little sheep walking into the slaughterhouse. It's tragic. What have they got to hide? I keep raising this issue of the uncertainty of their motive.

In my riding this is so important—I have to get down to a more serious tone in the conversation with the people of Ontario. First of all, we have the challenges facing the auto sector, and of course my riding of Durham and that of my colleague Christine Elliott—who is probably going to be the new leader of the party, according to the paper this morning—and also Jerry Ouellette's riding of Oshawa.

There was a presentation to the committee by the Canadian Vehicle Manufacturers' Association; it was made by Mark Nantais. I've got the submission here and, as the member from Haldimand-Norfolk said, I think some members on the government side didn't even listen to the input. I don't want to impute motive; I think they ignored them. Why? Because they didn't pass one of the suggestions, not even part of one. I don't think they even asked any questions that were respectful to the issue.

I had sent out a memo to my constituents, because of the rush—I had to send this out, as I said, to Detox and other constituency businesses. I advised: "There are opportunities for input at public hearings ... in Toronto,

May 13 and May 25. Interested people ... should contact the committee clerk," and I gave the clerk—I also sent it to David Oraziotti, who is the Chair of the committee, to advise them of my concern that they had to make space and time for these constituents: real people, real jobs and wanting to do the right thing.

Mr. Nantais appeared on behalf of the auto sector. Here's really what he wanted, in summary—unfortunately, I'm running out of time. Could I have more time, I wonder, maybe up to an hour? I could probably get it done in an hour. I'm sure some people would change their minds.

**Mr. Ted Chudleigh:** Unanimous consent.

**Mr. John O'Toole:** Unanimous consent.

Anyway, "providing a clear definition of 'toxic' in the act"—there's no definition of "toxic" in the bill. Under section 2, the definitions section, they don't define it. Here it is. I'm looking at it. Here's the bill: 44 pages, 22 in English and 22 in French. Here is section 2, "Definitions." They've got "justice," and "minister" is well described, because he has run the whole thing from his office, and "provincial officer." "'Toxic substance'"—here it is—"means a substance prescribed by the regulations as a toxic substance for the purposes of this act." That's sort of like saying, "Yes," and, "Look up in the dictionary what 'yes' means." Anyway, I'm concerned about what they're hiding here, because almost everything in the bill is in regulation.

0920

I'm going back to the bill, because when I looked through it, I was trying to make sense of some of it. Here's another good one, section 46 of the bill, "Protection from personal liability." Guess who's protected? Mr. Speaker, you'd be interested in this, as kind of a policeman here today. "No action or other proceeding may be instituted against the following persons for any act done in good faith in the execution or intended execution of any duty or authority under this act...." It says a member of the tribunal can't be called to court and held liable or accountable. An employee of the ministry, the inspector who shows up and gives you a hard time—and provincial officers. You can't take any action; they're immune from prosecution.

The regulations section starts in section 49. It's four columns. It goes right from (a) to (z), and each one of them has two or three subsections. The whole bill is defined in regulation.

So we're passing a bill, but we really don't know what the toxic substances are, what the reporting mechanisms are and what the inspections are.

I do know that the provision here—it says "crown"; it's warrantless entry. They can enter your property day or night, if they suspect something is happening, and start fooling around with your patent information.

As I said, Mr. Nantais had another one:

"Allow for one plant facility plan to address multiple toxic substances and the substances of concern" and provide for more flexibility in methodology of use.

"Provide equivalency with other certified environmental management systems"—EMS—"such as ISO



14001, without any changes to the EMS, and actually provide, again, powers to the ministry directors to recognize such plans under the act....” There are plans. Most companies aren’t out there to be sued for some liability for some substance.

“Providing for some of the same exemptions as those afforded in the NPRI”—the national pollutant release inventory.

“Exemption of vehicles from the consumer products provisions in the act, as they are already covered under federal legislation”—in my riding, there’s a cement industry.

My concern is, what’s the rush? We want to do the right thing.

I don’t see anything in this bill that’s supportable. It’s not transparent; it’s not clear. At a time when there are so many other concerns, with the economy going down the drain, the people of Ontario without income, the new HST tax—they are going completely in the wrong direction.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Peter Tabuns:** I appreciate the opportunity to comment on the remarks of the member from Durham.

Having been through the hearings and the second reading debate and having gone through clause-by-clause, generally I don’t agree with what the opposition has to say about this bill, but I have to say that there are a number of things where they’re exactly on the money.

This is a bill in which, overwhelmingly, what we have is a series of clauses that give the Lieutenant Governor in Council power to set regulation. So for us, we’re voting on a bill whose substance is limited at best.

We are voting on a bill that, as the member from Durham talked about, has not gotten a ringing endorsement from one of the most significant stakeholders in all of this, the Canadian Cancer Society. I will be quoting them when I make my commentary, but he’s entirely correct. If in fact this bill has come forward, doesn’t have teeth, really amounts to a blank cheque for the government, which, from the perspective of the opposition, can be written for draconian legislation, and from the perspective of the NDP, simply allows the government to cut a deal with whatever industry it wants and do extraordinarily little to deal with the problem we have—that’s all that’s on the table.

I’m not going to hold up this bill. I’m going to speak to it today. I’ve recommended to my caucus that we vote for it—not out of any enthusiasm, as has probably been gathered. But, frankly, the question does arise, what is the rush for something that has so little in it? If in fact this bill was making things move forward substantially in Ontario, I could see the need for speed, but other than being able to put out a headline that we have this act—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments?

**Mr. Kevin Daniel Flynn:** It’s a pleasure to rise today and join the debate. This is a bill that has come forward that I think has struck the right balance that Ontarians

want. There’s tremendous public support for this type of initiative. What I haven’t heard described today by any of the speakers so far this morning is the fact that Ontario is a leading jurisdiction in this regard. No other province in this country has this type of legislation nor, as I understand it, at this point in time, is proposing to pass this sort of legislation that the public is crying out for. As community members, workers and consumers, we all have the right to know about the environmental and occupational risks that we are being exposed to so that we can make informed decisions about our health.

“The Canadian Cancer Society applauds the government of Ontario for taking action to reduce toxic substances where we live, work and play. We look forward to working with government to ensure the supporting regulations have a strong community right-to-know component.” I think that is a very reasonable statement. I think that’s a statement that’s based on knowledge. That statement comes from the Canadian Cancer Society, Ontario Division, chief executive officer Peter Goodhand, who’s also chair of the Take Charge on Toxics campaign.

I believe that this bill is supportable. The third party, as I understand it, is supporting it. The official opposition I think has yet to make their mind up, but I would hope that, at the end of the day, they would see this is a reasonable bill that should be moved forward.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Toby Barrett:** I appreciate the comments from the minister—well, not yet, but I’ve always expected this guy would be a cabinet minister—the member for Durham. He knows of what he speaks. As he indicated, he has a 30-year background in manufacturing. He continues to be concerned about Ontario’s dwindling economy, not only in automotive but also the cement industry and other major players within the riding of Durham. The member for Durham laments the fact that this legislation is not transparent and there is no clarity. Right off the top, there’s no definition of what a toxic substance is. We have people in this Legislature debating toxics. We have no idea what this government is talking about with respect to toxics.

If you want to find out what the parliamentarians and scientists are dealing with, go to the federal legislation, go to the federal program. They have a definition for toxics. They have a program. The province of Ontario is probably the only subjurisdiction in any country that has decided to go off on its own and to duplicate, or attempt to duplicate, what the national level has accomplished. We saw this with the pesticide legislation that was introduced a year ago.

Within this legislation, there’s no definition of “substance of concern.” We don’t know whether that’s a cup of coffee, a can of pop or chlorine. We’re really wandering in the wilderness on this legislation. It’s way too vague.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? Further debate?



**Ms. Cheri DiNovo:** No, he has two minutes to respond.

**The Deputy Speaker (Mr. Bruce Crozier):** I guess we should do that this morning, shouldn't we?

**Mr. John O'Toole:** Unless I could have 10 minutes to respond—

**The Deputy Speaker (Mr. Bruce Crozier):** I thought the member from Durham had said everything he could say, but he does have the opportunity for two more minutes.

**Mr. John O'Toole:** There's simply not enough time in the day.

However, I want to thank the member from Toronto-Danforth, and I compliment him as well, because I look forward to his one-hour speech. I may be in the cafeteria. But anyway, here is the issue: He said I was exactly right. I appreciate that.

0930

The member from Oakville admitted here today that this bill is entirely in regulation. It is; the whole thing. There's nothing in this, outside of a mechanism of enforcement; it's very detailed in that. The member from Haldimand-Norfolk—I refer the listeners today to read Hansard online; his one-hour speech was kind of a thesis on what's the right thing to do.

I will bring up, in the few seconds I have left, that I put a question on the order paper about a week ago, and I'd encourage members to look at it; it's about a very important issue in my riding. This issue deals with nuclear waste. Here's one of the reports that I am in the midst of reviewing and providing input. This is the report; this is the draft copy of a pretty well secret document. This is a public information notice on the environmental assessment for Port Granby long-term low-level radioactive waste management. This is from Joanne Smith, Natural Resources Canada.

Canada takes a very responsible, mature, thorough lead. Dalton McGuinty has this obscure piece of work on Bill 167 that has no clarity in it. In my riding, this issue is a public health issue of the highest order. I don't want Premier McGuinty and John Gerretsen monkeying around with this stuff. They have no expertise, and they're confusing the public about one thing about toxic waste when in this case here, they would probably say, "Oh, that belongs to the federal government."

So let's be clear about this: We should have one set of rules; they should be tough and they should be enforced, and Ontario's interfering with the system that's already in place.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Peter Tabuns:** I want to talk about Bill 167. During discussion of the bill, we've heard repeatedly about the urgent need to take on the problem of toxic chemicals in this society, the need to reduce their use and reduce the release of those toxic chemicals. We've heard that in North America, Ontario is second only to Texas in tonnes of toxic chemicals being released into the air and water and going to our landfill sites. Ontario is the fourth-

highest emitter of carcinogenic chemicals in North America; Ontario is the second-highest emitter of reproductive toxins in North America. Ontario's industries account for 36% of the total Canadian discharges of reportable chemicals into the air and 15% of the discharges into the water. That's a lot of toxic chemicals. That's a lot of cancer-causing material that becomes part of the food we eat, the water we drink and the air we breathe.

In Ontario, 23,000 chemicals and substances are used in manufacturing products that we use every single day of our lives, products such as building materials, toys, cars, food, medicine and entertainment products. Ontarians depend on these products to be safe.

I have to say that the safety of these products is often discovered quite directly by their impact on the people who work with them, and that has been the case for decades. Too often we've learned the consequences of the chemicals when we've seen the impact directly on the lives of the people who work with those chemicals. Vinyl chloride was only found to be a potent carcinogen after a physician diagnosed two cases of a very rare cancer, angiosarcoma of the liver, in workers from a single plant. If this had been a more common cancer, if this had been a cancer that could have been related to another factor, then the reality of that chemical would not have been understood for much longer.

I should note before I go further that I'm referring to testimony given by Mike Wright, director of health, safety and environment for the United Steelworkers. He spoke in February of 2009, this year, before a congressional committee looking at the Toxic Substances Control Act. He noted in his testimony, "It took the lung cancer deaths of 54 workers in a plant making ion-exchange resins to identify bis-chloromethyl ether as a carcinogen."

The reality is that far too often, we find out that chemicals are toxic because the people who work with them suffer direct health effects. One he cited that was interesting—they're all interesting, but particularly interesting—was something called diacetyl, which is the main component in artificial butter flavouring: "When inhaled, diacetyl causes a rare lung disease called bronchiolitis obliterans—and," as Mike Wright said, "it's as bad as it sounds.... In May 2000, eight workers in a microwave popcorn plant were diagnosed with the condition," and it took some time before the chemical itself was recognized as the cause of the problem.

Mike Wright, in his testimony, said, "We have no idea how many more untested chemicals are causing unrecognized illness amongst workers and consumers." That is the reason why anyone who is interested in reducing the burden of cancer and reducing the burden of occupational disease and injury is concerned about the presence of, the use of toxic chemicals and substances in everyday life in this province. He was right when he said, "We have no idea how many more untested chemicals are causing unrecognized illness amongst workers and consumers."

In the United States, there's been a calculation done on the health burden and the cost of occupational dis-



eases. The National Institute for Occupational Safety and Health in the States in 2005 reviewed 38 studies, and they conservatively put the toll at 50,000 deaths a year, at a cost of between \$128 billion and \$155 billion—very substantial. So when we deal with toxic chemicals and when we deal with an act that is extraordinarily weak, which the Canadian Cancer Society says doesn't have the teeth to actually bring about the reduction in toxic chemicals and the protection of the public that is needed, then we need to pay attention. We need to look at the act before us and recognize that although the act will likely be passed, although there will be a headline somewhere or a story written about, "Toxics Reduction Act introduced and passed and put into law," the protection of the public is something that is, at this point, unknown.

Who knows if in fact this government will put in place regulations that will make a difference or not make a difference? My betting is that they won't. However, sometimes there are political currents beyond one's knowledge that move things in a particular direction. We'll see if those currents exist. At this point, I'd say, given the approach this government has taken to this piece of legislation—and the Conservatives would say from the opposite direction, but also accurately—essentially waiting for a blank cheque to be put before the cabinet; will they write a tough cheque or a weak cheque? It remains to be seen.

Prior to the last election, Premier McGuinty called for tough new toxic reduction law and a carcinogen reduction strategy. Well, be clear: That's not on the table today. He called for a plan that puts Ontario at the forefront in North America on tackling this issue: That is not before us today. Although the parliamentary assistant talked about Ontario being a leader, certainly it comes nowhere near where Massachusetts is headed, and frankly, when it comes to the European Union and their program—the acronym is REACH—we come nowhere near that.

During committee hearings, numerous respected health and environmental organizations spoke of the need to strengthen Bill 167. They stressed, before we went through the amendments, before we went through the process, to improve the bill, make something substantial of it. They stressed that the bill failed to incorporate a number of key recommendations from the government-appointed expert panel. The cancer society, the registered nurses' association, the public health association, key environmental groups such as the Canadian Environmental Law Association, Environmental Defence and unions like the United Steelworkers spoke in unison about the need for several amendments. Those amendments were moved by the NDP and were voted down by the government.

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First, the groups presented a demand outlining the need to modify the bill so it would address a wider range of toxic substances and facilities. As it stands, the bill will only cover 14% of the 320 substances on the National Pollutant Release Inventory by 2012. It will only cover 1.5% of the total annual tonnage of emissions of National

Pollutant Release Inventory reportable chemicals for manufacturing and mineral processes. That leaves too many important chemicals off this list. Indeed, the expert panel called for inclusion of all chemicals on the National Pollutant Release Inventory, plus cancer-causing chemicals listed by the World Health Organization's International Agency for Research on Cancer and the US national toxicology program, and the reproductive and developmental toxins from California's proposition 65 and Health Canada's domestic substances list—very substantial calls for expansion of the range of chemicals to be considered to provide protection against, because frankly, there is a very large chemical soup that we are all swimming in right now. It is fairly apparent that the federal government is not moving with anywhere near the speed that's needed to reduce risk to our population. This level of government needs to take action. What it has done with this act is far less than is needed to actually protect the health of the population.

Secondly, groups recommended reducing the thresholds of both facility size and volume of toxics released at which the bill would kick in. The current threshold of 10 employees and 10,000 kilograms of pollution exempts small and medium-sized businesses, which are responsible for emitting the majority of toxics in urban areas. Note that the city of Toronto with its own sewer use bylaw, it's own right-to-know bylaw, sets a standard that maintains no employee threshold and reporting thresholds of 100 kilograms for most substances. So the city of Toronto is actually recognizing the burden of toxic chemical release on the population that exists in the city and is acting within the legislative framework that it has. This government could do far more, far more extensively, and has not risen to that challenge.

Thirdly, health groups called for the expansion of the number of sectors covered by the bill. The government's expert panel called for the act to apply to all sectors that meet the thresholds, including energy and waste management. At a minimum, it was deemed crucial to include sewage treatment plants. Sewage treatment plants receive effluent from 12,000 industrial and commercial facilities. Sewage treatment plants are responsible for 87% of mercury, 37% of arsenic, and 71% of lead releases into the environment. Including sewage treatment plants would ensure upstream toxic use reduction, and it would also pressure sewage treatment plants to work with municipal governments on stronger sewage control bylaws. In fact, only 260 of 446 Ontario municipalities had sewer use bylaws in 2000 at all. So a failure on the part of this government to include sewage treatment plants in their legislation meant that a very significant source of toxic chemicals coming into our environment have been set aside, given a pass. It's not a defensible approach. This is a level of government that has responsibility for protecting the population of the province as a whole, has responsibility for reducing our exposure to toxic chemicals, and had the opportunity in this act to put in place legislation that would in fact do that. It passed on that responsibility.

Environmental, labour and health groups called for a toxic substance use reduction institute. The bill is silent



on the establishment of a toxics reduction institute. The Toxics Use Reduction Institute at the University of Massachusetts has been an integral part of the Massachusetts law's success. An institute is needed to educate and train professionals such as toxics reduction planners, to educate the public, and to sponsor and conduct research. The institute would work side by side with facilities on pollution prevention plans unique to their needs. The government's expert panel called for an institute, saying it would serve as a "neutral forum for constructive dialogue among the public, industry and government."

If you actually look at what they had to say, this expert panel that was appointed by this government called for the establishment of "a well-resourced, collaborative, arm's-length agency and/or academic-affiliated institute to lead innovation and knowledge dissemination, as described above."

Frankly, if you don't have that institute—and the Canadian Cancer Society noted it as well—then you can't—sorry; I shouldn't say "you can't." It is highly unlikely that you will assemble the intellectual capacity to take on this issue and provide industry and small businesses the support they need to make the transition that we're going to have to have if we actually want to reduce people's exposure to toxic chemicals. The government's refusal to incorporate the setting up of that institution in the legislation was a substantial error. It leaves this bill weakened, undermines its ability to deliver on what it's supposed to deliver on and leaves this province in a situation where other jurisdictions in Europe and the United States will move forward on green chemistry while our people flounder around, occasionally dealing with enforcement efforts by the Ministry of the Environment—heavily underresourced. We will miss out on the opportunity to make that leap into green chemistry, which has the potential to develop new industry here in Ontario, the potential to move us away from dependence on fossil fuels for our chemical stocks.

We need effective legislation. Failure to put in that institute says to the world that we're not serious about what we're doing; that in fact this act is being passed so that the government can say that it passed an act, not so that we can actually reduce toxic chemicals, not so that we can actually make a transition to a whole other range of industrial activity.

The expert panel and health, environmental and labour groups that presented at the hearings spoke in unison about the need to include targets and goals for toxic use reduction in the bill itself. The expert panel recommended that the act include "clear, viable and progressive goals" and "a mechanism for monitoring and public reporting on achievement of those targets."

This is actually something that the Premier seemed to promise. In 2007, the Premier pledged that a re-elected government would "tackle the environmental causes of illness by ... introducing a tough new toxic reduction law that requires polluting companies to reduce their emissions." A tough new law, I'll tell you right now, isn't what's before us.

Requiring companies to reduce emissions—requiring someone to do something includes, as I read it, a mandatory reduction in emissions. Yet there is actually no requirement in this bill for companies to reduce their use or their emissions. They're simply required to make a reduction plan; they're not required to implement it. There is no goal or target for how much actual reduction in toxics in our environment will be achieved. So right now, we don't know how this government will be held to account five years or 10 years from now, or the government of the day, when it's pointed out that the reductions were virtually negligible.

Everyone can say, "We did our best. That's life. Stuff happens." If you don't have those targets, no government can be held to account for its failures. No government can be realistically praised for its achievements. There are no targets; there's no mandatory substitution. There is an ignoring of the work that was done by the expert panel that brought forward the recommendations. When we talk about goals, what they had to say was that in particular Ontario's pollution prevention legislation should include "clear, viable and progressive goals (i.e., a percentage reduction in toxics use and release in the province within a specified period of time); the statute should include renewable toxics reduction targets, and a mechanism for monitoring and public reporting on achievement of those targets. The panel notes that goals are not set in the current discussion paper and therefore strongly encourages the addition of goals to the discussion paper and program."

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So the panel itself brought in expert advice. As far as I can tell from reading their commentary, they had debates amongst themselves. They came, within their framework of directions, to positions that they felt were reasonable, and at the same time actually delivered on the goals that the government said that it had, which was to reduce the exposure of the population to toxic chemicals.

So I don't see their representations, their recommendations, as the highest ceiling to which one could aspire but a reasonable bar to determine whether or not the action set out in legislation is going to be effective or not. Frankly, I have to say, having seen this legislation ignore the recommendations of the expert panel, ignore the recommendations of the Canadian Cancer Society, ignore the recommendations of environmental groups and health groups who came before us, particularly by not setting any goals—again, that gives a hollow sound to the pledge of the Premier in 2007 that a re-elected Liberal government would "tackle the environmental causes of illness by ... introducing a tough new toxic reduction law that requires polluting companies to reduce their emissions." That is not before us.

Massachusetts, the state that actually is a leading jurisdiction, in whose trail we follow, weakly—their Toxics Use Reduction Act requires a statewide 50% reduction of toxic by-products within 10 years. I don't know if 50% is enough. I do know that at least in that state, those who are concerned about these issues can determine whether



or not the government has acted on the principles it said it was acting on and on the goals that it set out, and hold that government to account. That's the kind of clear and ambitious goal that we needed here in Ontario if we were actually going to come back to the population and say, "You know what? We've looked out at the issues. We've looked out at the problems. We understand the steps that have to be taken, and we've taken them."

Sixth point: We heard several deputations at the standing committee calling for amendments to ensure that the bill established a fund to finance research, training and technical assistance for toxics use reduction. Without funding for the kinds of support that companies need to actually move forward, they're far less likely to implement their now-voluntary toxics reduction strategies.

Not just a fund is needed: Experts indicated that revenue for the fund should come from a small levy on users of toxics—not a large levy, not a levy that changes the economics, but a small levy that allows consistent funding of an institute that would go in and provide the technical support for companies to make the transition that's needed.

The Massachusetts toxics reduction fund—the actual leading jurisdiction; this is not a leading jurisdiction—is the most effective of all US programs because it established a dedicated revenue stream based on those modest annual fees paid by toxic chemical users. Firms paying a modest annual fee are more likely to engage in the program and use the services. Cost savings from reduced chemical use more than offset the cost of the fees themselves. And without these funds, there's a grave danger that the program will have to compete—not just a grave danger, a certainty that the program will have to compete within government with other priorities for allocation of funds.

The McGuinty government—and we will hear this, I'm sure, if not in comment, then in other statements that are released to the public—plans to invest \$24 million to help industry find green chemistry alternatives and reduce the use of toxics. Health groups like the Canadian Cancer Society are concerned that that won't be enough to provide technical assistance and won't be enough to help businesses make the transition from toxic substance use to less-toxic substance use. What's needed are programs to provide grants and loans to businesses to offset costs, money to support research and development of safer alternatives and, where it actually happens, provide re-employment assistance, vocational retraining and other benefits to ensure that any displaced employees are given that support to move on to their next careers.

The reality is that companies in Massachusetts have actually reduced their operating costs by reducing their use of toxic chemicals. This is not something that is novel. This is not something that is unheard of. This is something that in fact is old but minimized, marginalized.

In 1991, the American Environmental Protection Agency published a small paper, *Achievements in Source Reduction and Recycling for Ten Industries in the United*

States. When we talk about these issues, so often people say, "Well you really can't get rid of these toxic chemicals. They're critical to the functioning of our society." There well may be instances for which that is true, but even in 1991 the Environmental Protection Agency in the United States published a study of industries that had done things that we should be doing on a large-scale basis here.

Trichloroethylene, a toxic chemical, was replaced in metal plating in some operations with a solvent extracted from orange rind, terpenes. Trichloroethylene was used to degrease metals before electroplating. Orange rinds, the non-toxic terpenes, were able to replace trichloroethylene, a very toxic chemical, at a substantial savings to the company that engaged in that activity.

Mercury and cadmium used to be substantial components of dry cell batteries that we use on a regular basis. In fact, their use was dramatically reduced and then phased out because dry cell batteries, the batteries that you use every day, were a significant source of mercury coming into our environment. That was done without battery companies going belly up or not being able to produce a battery that gave us power. That's entirely technically feasible.

Perchloroethylene, another substantial toxic chemical, is used to clean printed circuits so that you wouldn't have short-circuiting in your electronic products. The companies that dealt with that problem revamped their production process to dramatically reduce the amount of chemicals they used—period.

In fact, if you're going to reduce the amount of chemicals that we use in society and reduce the risk that both workers and the general public are exposed to, you know that there's a big body of knowledge out there already on how to do that, how to move forward. If you're going to apply it in a detailed way in industry here in Ontario, then you need people with the technical ability to develop the processes and get the information out to the industry and work with industry as a partner to make that happen.

The seventh point I want to make: Many of the groups articulated the importance of including measures in the bill to identify and encourage firms to substitute safer alternatives in place of toxic substances. I just set that out. The reality, though, again, is that having that toxics reduction institute would be a substantial part of making that happen.

We need to have a legislative framework—we don't have it—that ensures that the substitution takes place. We need to have identified the priority substances for replacement. We need to assess safer alternatives, develop alternative plans and put them in place with industry.

In fact, it was interesting to me to have people like the auto parts manufacturers and others come and say, "We're interested in moving this stuff forward. We would like your assistance in doing it. We don't disagree with the need to reduce toxic chemicals." There was an opportunity here for this government to develop a partnership with industry to move this agenda forward, a partnership that they seemed to have turned their back



on. I don't know why. I guess I can speculate. I don't know why, in fact, they have not acted on this, but I can say that it is irresponsible not to have moved as far and as fast as they could on this legislation.

Groups called for amendments to include stronger provisions to ensure the public has full information about toxics in their environment and the products they use—something the cancer society makes reference to. The public has a right to know when they buy products that have toxic chemicals in them; they need to be informed of that. This government had an opportunity before the last election to pass a piece of private members' legislation that I brought forward, modeled on a very workable bill in place in California. They backed off on that. In the course of debating this bill and in the course of going through clause-by-clause, they backed off on making sure that they had the power to actually inform the public. That was a mistake.

We heard from groups who talked about the need to incorporate the precautionary principle into this bill. Quite simply, it would mean that where there wasn't full scientific certainty, we wouldn't take a risk with people's health. For what it's worth, the Krever Commission, when it looked at the contaminated blood issue from the 1980s, said that in fact if those agencies which had been dealing with blood had used a precautionary principle, many, many people would have been spared illness and death that resulted from contaminated blood. We need that kind of approach when you're dealing with chemicals that can cause cancer, sterility, neurotoxic effects—a broad range of health effects. We're not getting that from this government.

This bill, as it's presented to us today, is not a step forward. It's not necessarily a step backward. It depends on what happens in the writing of regulation. It depends on whether or not, in the writing of regulations, this government, in its dealings with those interests that want to make sure that toxic chemicals are used, comes to a deal that actually strengthens protection. It could come to a deal that undermines protection. That remains to be seen. That chapter has not been written.

I think it's unfortunate that the government didn't take this opportunity, in the course of introducing this bill and in going through the bill on a clause-by-clause basis, to make it the kind of bill that we could be proud of in Ontario, the kind of bill that would meet the standards set in Massachusetts and hopefully go beyond that. It's a huge missed opportunity, and frankly, an opportunity that people will pay for with their health, and in some instances, tragically, with their lives.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? Further debate? Does any other member wish to speak?

Mr. Gerretsen has moved third reading of Bill 167. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be named as in the motion.

*Third reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Orders of the day. The Minister of the Environment.

**Hon. John Gerretsen:** There's no further business this morning until question period.

**The Deputy Speaker (Mr. Bruce Crozier):** There being no further business, this House will recess until 10:30 of the clock.

*The House recessed from 1004 to 1030.*

## INTRODUCTION OF VISITORS

**Mrs. Julia Munro:** I'd ask all members to help me welcome the students of Mr. David Weir of Deer Park Public School, who are here today to celebrate as they graduate from grade 8. They will be joining us at any moment.

**Ms. Cheri DiNovo:** It's my pleasure to introduce two reverends, Rev. Ken Gallinger and Rev. Matthew Gallinger, and their beautiful little girl and granddaughter, Daria.

**Mr. Charles Sousa:** I'd like to recognize here today in the members' gallery the 2009 Mississauga Man of the Year, Jim Tovey. Jim was recognized for his outstanding efforts with the Lakeview Legacy project. Joining him today is also Professor John Danahy from the University of Toronto, who was also awarded with the merit of the Canadian Society of Landscape Architects in regard to the Lakeview project.

**Mr. John O'Toole:** I'd like to recognize a young nine-year-old from my riding, Kyle Roberts from Bowmanville. He is here as part of the 21st annual fire safety awards. He's one of the award recipients today. Congratulations, Kyle, to you and your family.

**Mr. Bruce Crozier:** Visiting today and seated in the members' east gallery is page Rebecca's beloved father, Edward John Penner. Welcome to the Legislature.

**Hon. Michael Gravelle:** I would like to welcome the students and staff from Beardmore Public School, who travelled 18 hours by bus to get here. They're up in the public gallery today. Welcome.

**Mr. David Zimmer:** I'd like to introduce Ms. Ghazal Momen, a recent graduate of York University, a resident in my riding of Willowdale and a volunteer in my constituency office, doing great work.

**Hon. John Milloy:** I'd like to introduce the family of page Stephen Rickert, who are here with us today: mother, Jennifer Rickert, who was a few years behind me in high school; and brother Brian Rickert, who I believe is celebrating his birthday today.

**Hon. Christopher Bentley:** In the gallery today is Elizabeth Seldon, the mother of Pam Hrick, who works in my office. I'd like to welcome her.

**Hon. Monique M. Smith:** I'd like to welcome Keith Pacey, a retired teacher from my riding, and Alain Peron, the chair of our North Bay General Hospital board and a lawyer in town, who are both visiting today, down for a hospital conference. We're happy to have them here.



**Mr. Jim Brownell:** I'd like to welcome today John Earle, Cornwall's renowned cinematographer; a former student of mine, Michael Blodgett, graduating this Friday from St. Lawrence College, and my constituency assistant, Jeremy Gowsell.

**Mr. Paul Miller:** I'd like to introduce my summer co-op student, Jason White, who's sitting in the west gallery with my assistant, Todd White.

**Mr. Jean-Marc Lalonde:** Today is Glengarry-Prescott-Russell day at Queen's Park. I would like to recognize the mayors of the nine municipalities: the mayor of Hawkesbury, Jeanne Charlebois; our county warden, Robert Kirby; the mayor of Champlain, Gary Barton; the mayor of Nation municipality, Denis Pommerville; the mayor of Clarence-Rockland, Richard Lalonde; the mayor of Russell, Ken Hill; the deputy mayor of Alfred and Plantagenet, André Boudreault; and the mayor of north Glengarry, Grant Crack; also, on the other side, the members of municipal councils. Welcome to Queen's Park.

#### MEMBERS' ANNIVERSARIES

**The Speaker (Hon. Steve Peters):** I would like to recognize and congratulate the following members who, like me, are today celebrating 10 years serving as members of provincial Parliament: Michael Bryant, the member for St. Paul's; Leona Dombrowsky, the member for Prince Edward-Hastings; Garfield Dunlop, the member for Simcoe North; Dave Levac, the member for Brant; and George Smitherman, the member for Toronto Centre. Happy anniversary.

There being no further introductions, it is now time for oral questions.

#### ORAL QUESTIONS

##### ELECTRONIC HEALTH INFORMATION

**Mr. Tim Hudak:** A question to the Minister of Health: Every day, more details are leaking out about the rapidly growing scandal at eHealth Ontario. You claimed last week that the reason why untendered contracts were handed out to consultants was because of "unforeseen emergencies." Minister, do you still maintain that to be the case?

**Hon. David Caplan:** In fact, last week and this week, I have shared the concern, as has the Premier, of taxpayers to make sure that we are delivering value for the dollars that they are sending us, and also ensuring that we finally deliver on an eHealth system for the province of Ontario.

I can tell the member that yesterday I had the great pleasure to speak with Mr. McCarter, the Auditor General of Ontario.

*Interjection.*

**Hon. David Caplan:** In fact, it was, I say to the member from Renfrew, because Mr. McCarter shared

with me the scope of the work that he has been doing, on behalf of taxpayers in the province of Ontario, looking into not only the legacy agency and the transition but the work of eHealth itself.

I have written to Mr. McCarter and, under section 17 of the act, have asked him to table his report so that I can, on behalf of taxpayers in Ontario, turn the recommendations around into action as quickly as possible.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** I listened very closely, and I didn't hear a yes or a no. I think the minister is backing away from his earlier claim of untendered contracts for "unforeseen emergencies."

Minister, you know that Accenture received numerous untendered contracts totalling \$1.3 million. The CBC reported last night that William Falk, a partner at Accenture, was listed on Sarah Kramer's job application as a reference. The CBC also reports that they are close family friends.

Could the minister explain exactly what the nature of the so-called unforeseen emergency was around the \$1.3 million in Accenture contracts? Or is the reality as it appears: more evidence of the incestuous relationships, the quid pro quo, the "You scratch my back, I'll scratch yours" mentality that you allowed to fester at your rogue eHealth agency?

**Hon. David Caplan:** First of all, I disagree with the premise of the member's question, because whenever possible, it's my expectation that contracts are tendered in an open and fair manner. The eHealth board made a decision during the transition period to get eHealth moving quickly on the goals that we have established, which are to get a diabetes registry into place, an ePrescribing regime into place, moving toward electronic health records as quickly as possible.

It's important not just for eHealth, but for all of us who have the privilege of serving Ontarians, including, I would say to the member, every member of this Legislature. That's why I directed the board to undertake a third party review, and in fact, the board has engaged PricewaterhouseCoopers, along with a representative of the Ministry of Health, to oversee that review. There will be internal government auditors managing that review.

As I have mentioned, I have spoken with Mr. McCarter related to the work that he is doing in ensuring that both of those—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Tim Hudak:** Let me give you another example: Michael Guerriere is the head of the Liberal-connected Courtyard Group. The contacts and close ties between Mr. Guerriere and eHealth's Alan Hudson and Sarah Kramer run very deep. Courtyard got contracts for the wait times strategy that was headed by Alan Hudson, where they worked with Kramer. Liberal-connected Courtyard also got contracts at Cancer Care Ontario, headed by Alan Hudson, where they worked with Sarah Kramer. Now, Liberal-friendly Courtyard received over a million dollars in untendered contracts at eHealth, which



is, no coincidence, headed by Alan Hudson and Sarah Kramer.

There has been, for some time, a growing stench at eHealth, all happening under the minister's nose. Minister, you have no choice: Will you do the right thing and resign and let someone else—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. David Caplan:** Again, the premise of the member's question is just incorrect. I can tell you that these types of allegations reinforce the measures that we have already taken.

We have an internal government auditor managing the review. I've asked the Provincial Auditor to speed up, under section 17 of the act; to table with us the work that he has undertaken on behalf of the province of Ontario and the people of Ontario. I know, and I say to the my friend opposite, that the auditor has done thorough and excellent work on behalf of taxpayers. I will, in fact, receive his advice and turn it into action as soon as it is in hand. Rather than wait until his normal report comes out to release the findings, including eHealth procurement practices, I want to get as much good information as I can as soon as I can get it, so that this important initiative can continue to work, delivering—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

1040

## ELECTRONIC HEALTH INFORMATION

**Mr. Tim Hudak:** Back to the Minister of Health: Let's look at some of the other contracts at eHealth. Anzen Consulting got a contract from eHealth. The head of Anzen Consulting, Miyo Yamashita, is married to the head of Liberal-connected Courtyard, your friend Michael Guerriere. Ms. Yamashita was hired for \$268,000 on a four-month contract to produce a communications plan and branding strategy. At the same time, eHealth hired another consultant named Donna Kline on a sole-source contract for \$192,000. Her statement of work says that she was to provide, once again, a communications plan and branding strategy, the exact same contract Ms. Yamashita received. Minister, why is the government paying two different consultants to do the exact same work?

**Hon. David Caplan:** I can tell the member, as I have said in this House, that I have discussed these concerns with some of the expenses that have come to light with both the chair and the CEO of eHealth. It's important not just for eHealth, but for all of us who have the privilege to serve Ontarians, including this Legislature. The Premier and I both agree: While things are allowable, just because you can do it doesn't necessarily mean that it should be done. We expect that private sector consultants abide by not only the letter of the law but the spirit of the law as well. That's why I took the action to instruct the board to take on a third party. In this case they have taken on PricewaterhouseCoopers to be able to undertake this

work to get to the bottom of financial controls and management practices at eHealth. I look forward to the results of their review—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Tim Hudak:** There are so many consultants involved here that we have to pay extra to keep track of them all. On December 1, Ms. Yamashita billed taxpayers for talking to her husband, the infamous Michael Guerriere, at Courtyard Group, a consulting firm on the end of literally millions of dollars in untendered contracts from eHealth. That phone call cost taxpayers \$3,800. On December 5, Yamashita had yet another meeting with yet another consultant to discuss Donna Kline's role. For the privilege of one consultant talking to a consultant about another consultant, taxpayers had to fork out an additional \$3,000.

Minister, PricewaterhouseCoopers has already conducted its review on your rogue agency. They violated those recommendations under your nose. Minister, this is out of control. Will you do the right thing? Will you step aside and let somebody else clean up—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. David Caplan:** You know, it is unfortunate that when the legacy agency, Smart Systems for Health, was set up in 2002, they were not provided with the proper mandate or the proper leadership in order to deliver on the modernization of Ontario's health care system. We are driving forward on a very ambitious and important agenda to improve patient safety and improve health care, as Ontarians would expect that they would.

The accomplishments in a few short months have been very good, and I would share them with the member. We have unveiled—or eHealth Ontario, rather, has—Ontario's first comprehensive, published eHealth strategy. They've launched an ePrescribing program, the first of its kind in Canada, piloted in Collingwood and in Sault Ste. Marie, connecting pharmacy with primary care. They have also partnered with OntarioMD, the Ontario Medical Association, to—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Tim Hudak:** I assume these contracts aren't news to the minister. Here is another one that you should be aware of: On December 7, Anzen Consulting charged \$900 to send e-mails to a consultant at the Liberal-connected Courtyard Group, Karli Farrow. Karli Farrow used to be chief of staff to the Deputy Premier and a policy adviser to the Premier himself. This was the first of several bills between the two.

On January 5, Yamashita phoned Donna Kline, a call that lasted an hour and a half, for which Anzen charged \$450 and Donna Kline's timesheet shows that she billed \$300 for the exact same phone call; 750 bucks for a single phone call. On January 14, Ms. Yamashita billed \$1,200 for four hours' work with her husband's consulting firm.

**Interjection:** Out of control.



**Mr. Tim Hudak:** Minister, this agency's out of control. It's under your watch and you've done nothing. Will you do the right thing and resign and let someone else—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. David Caplan:** That is precisely why I have the concerns that I have. I've met with the board and with board chair Dr. Hudson. I sought reassurance for some of the information which has come to light and did not receive it, and that is why I've ordered the board to take on a third-party review. That's why in fact PricewaterhouseCoopers has been retained to look at the expenditures to ensure that management practice and financial controls are in place that Ontarians expect would be there.

In addition to that, the Auditor General, an independent officer of this Legislature, has undertaken work previously and has done wonderful work on behalf of Ontario taxpayers historically. I had an opportunity to speak with Mr. McCarter yesterday and through that conversation directed him, under section 17 of the act, to accelerate the work—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

#### TAXATION

**Ms. Andrea Horwath:** My question is to the Premier. Today a group of seniors has made the trek to Queen's Park to voice their concerns about the McGuinty government's harmonized sales tax. They're worried about the impact of having to pay 8% more—8% more to heat their homes in the winter, to take their daily vitamins, to go to the barber, to read the morning newspaper or to enjoy an evening at the theatre. As many Ontario seniors see the savings that they've built over a lifetime of hard work vanish, why is the Premier forcing them to pay 8% more?

**Hon. Dalton McGuinty:** First of all I want to take the opportunity to welcome all of our visitors to Queen's Park, but in particular seniors to whom we owe so much. I want to tell seniors and all Ontarians that the decision we have taken together as a government to move forward with a single sales tax is not one that we have taken lightly. But we feel it's absolutely essential if we're going to build a stronger, more competitive economy that will ensure that our businesses can compete with other businesses around the world and that they will continue to have the capacity to hire our children and our grandchildren. That's very important to all of us.

At the same time, we've put in place a package that cuts Ontarians' taxes; 93% of Ontarians will have their taxes cut. That's an important piece of information that doesn't seem to be reaching Ontarians. I know that my honourable colleague is going to want to talk about that a bit more at some point in time, but 93% of Ontarians are going to receive tax cuts.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** Seniors from across the province are flooding MPPs' offices with letters of dire concern. These are very difficult times for all Ontarians, but

especially for seniors living on incomes tied to markets that have seen far better days. The McGuinty government's response to our seniors? "Get ready to pay 8% more to fill up the tank, to drive to see your grandchildren, to keep fit at a local pool or exercise club, to go for a coffee in the morning with your friends." Why is the Premier making seniors pay 8% more?

**Hon. Dalton McGuinty:** Again, I recognize that what we are asking of Ontarians is not easy. But I do know that the very best advice we have received from the most thoughtful people on these kinds of issues is that we need to catch up to 130 other countries, we need to catch up to four other provinces which already offer their businesses a significant competitive advantage. We've got to find a way to ensure that Ontario businesses can compete with the best in the world and win. We've got to make sure they're strong enough to continue to hire our children and our grandchildren.

I've had the opportunity to speak to many seniors about this issue. Their single greatest concern is, "Are we going to leave a strong Ontario for our children and grandchildren? Will we be able to give jobs to our children and our grandchildren?" That's what this is all about. It's about building a bright future for all of us.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** The McGuinty Liberals know that this tax is going to hurt Ontarians and they're doing everything in their power to hide it. First they proposed hiding the tax in the final price. Today we learned the McGuinty Liberals are lobbying the Auditor General to skirt their own advertising rules. They want to go on a multi-million dollar advertising blitz on the public's purse. Ontarians will not be fooled. Will this Premier listen to them, forget the mass marketing campaign and pull the plug on this blatant 8% tax grab?

1050

**Hon. Dalton McGuinty:** Again, just to make it clear, we've put this together in such a way that 93% of Ontarians will get a permanent income tax cut. I think it's important for us to recognize that. At the same time, we're also putting in place some supports for our families at the lowest income levels. In fact, the Ontario sales tax credit is something new. It's \$260 each for adults and children. That'll benefit some 2.9 million Ontarians.

What is happening to the province of Ontario is very, very significant, dramatic, and it has the potential to be permanently traumatic. We have to rise to the occasion. We have to do what is necessary to build a stronger economy, not just for us today, but for our children and for our grandchildren. I believe Ontarians are prepared to do what is necessary to build that stronger economy, not just for our generation, but for the next—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### ELECTRONIC HEALTH INFORMATION

**Ms. Andrea Horwath:** Back to the Premier: The news out of eHealth Ontario is becoming more disturbing by



the day. Instead of modernizing our health care system, we're seeing an elaborate network of rewards for friends and insiders. Executives and their consultant friends are living the high life as taxpayers are being left high and dry. We know that millions of dollars in untendered contracts went to consultant firms with personal connections to the CEO. My question is a simple one: What does someone have to do to get fired?

**Hon. Dalton McGuinty:** During the past few days, the members of the opposition have put forward a number of facts which raise some real concerns, and I've said that in the past. There have also been some allegations and then some not-so-subtle insinuations.

I think the best thing for us to do on behalf of Ontarians is to introduce into this debate an objective, dispassionate, thorough investigator, in the person of the Auditor General. The Minister of Health has contacted the Auditor General, has asked him to conduct an inquiry, to be as thorough as he believes is necessary, and to produce that report, together with those recommendations, at the earliest possible opportunity. I can't for the life of me understand why the opposition would object to us calling upon the Auditor General and waiting for his recommendations.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** Well, what the rest of us can't comprehend is why there's a litany of failure here and the Premier continues to stand by it. His Minister of Health has failed to do his job in overseeing eHealth Ontario. The same minister defended the outrageous billing practices and expense claims. Then he decided to hire a high-priced consultant to look into eHealth's high-priced consultants. It would be laughable if it wasn't so sad. The minister is incapable of doing his job. The Premier needs to fire him. Why won't he?

**Hon. Dalton McGuinty:** Just so I can provide some reassurance to Ontarians and my honourable colleagues as well, I have a copy of the letter written to the Auditor General, sent by the Minister of Health. This is what it says, in part:

"I am formally requesting that as per section 17 of the Auditor General Act, you consider tabling your report on eHealth Ontario in the Legislature as a special report as soon as it is complete, and then making it publicly available online on your website ... as well as in hard copy. I welcome your recommendations and if there are significant changes to be made at the agency, I believe that we should move to implement them as soon as possible.

"I can assure you of my full co-operation with your review."

Again, I think we should allow the Auditor General to do his work.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** It seems obvious that the Premier is willing to defend his minister at any cost. It's a similar approach, in fact, to the way that friends and insiders are treated by eHealth's CEO. Ontarians want to

see health care innovation, not \$3,000-a-day consultants and contracts being awarded to friends.

It's plain and simple: The Minister of Health failed to do his job. When will the Premier clean house and replace him with someone who can?

**Hon. Dalton McGuinty:** I need to take issue with something my honourable colleague has raised, as well as the spokesperson for the official opposition a moment ago. I want to make it clear that some things have been done which are in fact factual but which we cannot possibly condone in government. I said that before, and we will not defend those. But in addition, I think there had been some unfounded allegations and some not-so-subtle, as I said, insinuations.

I think the single most important thing we can do is to turn the heat down a little bit, introduce a bit of light in the person of the Auditor General, have him come in and be as thorough as he can. He's objective. He is impartial. He is nothing, as I said before, if not thorough. Allow him to do his work—

**The Speaker (Hon. Steve Peters):** Answer.

**Hon. Dalton McGuinty:** —bring forward those recommendations and make all the results of his inquiries public so that we can then consider those together and act on those together.

## ELECTRONIC HEALTH INFORMATION

**Mrs. Elizabeth Witmer:** My question is for the Minister of Health and Long-Term Care. On June 1 in this Legislature, the Minister of Health, to justify the bonus to Kramer and the untendered contracts, stated, "The current leadership at eHealth Ontario is yielding good results...." The minister cites the diabetes registry as a deliverable of Ms. Kramer and Dr. Hudson, and he states, "We now have in place Ontario's first-ever eHealth strategy. That is directing the kind of investment" like a diabetes registry. It has been brought to our attention that Ontario does not have a diabetes registry. There is no registry up and running or even populated. In fact, I have in my hand here the RFP for the registry, which was posted on May 20, revised May 28 and closes on June 8. How can you justify the leadership of eHealth when no action has been undertaken?

**Hon. David Caplan:** The member is simply wrong in her assertion. What I said in this House was that a request for expression of interest did go out on the diabetes registry, that we will be moving to a request for qualifications and then a request for proposal. That is entirely what I said.

I did say as well that, regrettably, the Smart Systems for Health Agency set up by the former member and her colleagues when they had the privilege to serve on this side of the House was given the wrong mandate, was given the wrong leadership, was given no direction. That is why my predecessor ordered an operational review of that agency. In fact, we took the move to quickly be able to change and bring in new leadership and, for the first time, have developed a real plan for eHealth infrastructure in this province.



We are already seeing good results, as I have mentioned here in this House. We've seen, for example, the launch of the baseline diabetes dataset initiative—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Elizabeth Witmer:** It's obvious that this Minister of Health doesn't have any idea what's going on. Six years—Smart Systems, now eHealth and no progress whatsoever on eHealth, which we desperately need.

Furthermore, in October 2008, a document from the ministry stated, "By the spring of 2009, Ontario will have a diabetes registry actively used by patients and physicians to manage diabetic care." Well, guess what? It hasn't happened. And you continue to defend Ms. Kramer and Dr. Hudson, saying they're on track, they're on target, that there's an "electronic health record for all diabetic patients...." The truth is, there isn't one. Will you, today, recognize that you're not up to the job? Will you resign and give the job to somebody else who can clean up the mess?

**Hon. David Caplan:** I recognize that we lost a lot of time because this member, as I've said, unfortunately, didn't understand the importance and the necessity to move quickly and in a focused way when on this side of the House. We did have to bring in people who are getting the job done and driving forward.

The member says that nothing was accomplished under Smart Systems for Health. In fact, nothing could be further from the truth. They built and connected 7,000 secure network sites—all hospitals, public health units and satellite sites, family health teams and other physicians, continuing care agencies, pharmacies, Cancer Care Ontario, Cardiac Care Network, Trillium Gift of Life and air ambulance operations. Among its successes I would say is the wait times information system to give all Ontarians access to timely surgical procedures. We have seen the benefits of these eHealth initiatives as we are driving—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

1100

## ELECTRONIC HEALTH INFORMATION

**M<sup>me</sup> France G  linas:** Ma question est pour le ministre de la Sant   et des Soins de longue dur  e. The fiasco at eHealth Ontario keeps growing. Contracts are being tendered according to personal connections rather than performance and evaluation. Personal connections supersede checks and balances, with the taxpayer holding the bag on outrageous excesses. To top it all off, Ontario still does not have a functioning electronic health record. I ask this Minister, how much more do we need to see before heads finally roll?

**Hon. David Caplan:** As I have stated in this House, one day from the New Democrats we hear to pull the plug and get out of eHealth initiatives; another day it's a crucial investment that we need to make.

I do agree with the member that it is long overdue and it is time for us to be able to get on with this, which is

why we began eHealth Ontario back in the fall, earlier in 2008. That was the result of work that was commissioned by my predecessor to order an operational review. I do believe we are already starting to see good results and yielding good results from the current leadership.

I have mentioned earlier that we have the first comprehensive eHealth strategy in this province's history. We are launching the ePrescribing program. We've established the diagnostic imaging network, where we will be filmless in this province in very short order. We have developed an electronic system to store images from hospital CT scanners for neurosurgical and neurological care to improve patient access—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**M<sup>me</sup> France G  linas:** This minister has clearly dropped the ball. His answer demonstrates he is not up to the job of protecting the interests of Ontarians as the health minister. He defends people that are beyond defence. He shields high-flying executives and high-priced consultants who are getting rich off the public purse. He is out of touch and, frankly, over his head. He has lost the confidence of those that he is supposed to serve. How much longer before he does the only honourable thing left to do and resigns?

**Hon. David Caplan:** Listen, I acknowledge that the investments that we are making in eHealth are substantial and important. It is long overdue for this province to be able to have the eHealth infrastructure that will drive and improve patient care and patient safety in the province. We are already seeing the beginnings of good results on behalf of the patients of the province of Ontario.

Now, I have expressed my concern about the revelations related to the expenses, as has the Premier. That's why I have taken the action to call in the chair of the board and to order a third party review of management function and financial controls. That's why I took the step to contact and have a conversation with Mr. McCarter—a non-partisan, independent officer of this Legislature. I understand the partisan nature of the member opposite, and that is her right. But I can tell you that Mr. McCarter will provide good advice—

**The Speaker (Hon. Steve Peters):** Thank you.

## ONTARIO PUBLIC SERVICE

**Mrs. Carol Mitchell:** My question is for the Minister of Government Services. Recently there was a suggestion from the member from Niagara West—Glanbrook that the McGuinty government should rip open our negotiated collective agreements with the unions. This member's blatant disregard for our public servants is a Common Sense Revolution d  j   vu all over again.

We've heard from doctors, nurses, water, meat inspectors, and we are incredibly worried about this. Even the member from Whitby disagrees with this idea, so I'm not sure that the party opposite has a coherent position on this issue.

We should all be worried about this because we all depend on the work of public servants.



Minister, can you inform the House if tearing up collective agreements with our public sector is a direction that he wants this government to take?

**Hon. Ted McMeekin:** I want to thank the member for her question. I too have heard the reckless suggestion from the member from Niagara West—Glanbrook. I want to say to this Legislative Assembly that this is certainly not the direction our government is going to take. We value the work of our public servants. We all remember the Walkerton tragedy, and we sure as heck don't want to revisit that.

The negotiations this year with our labour partners were all done in good faith, and the agreements reached were fair and reasonable.

The mere idea expressed by the member from Niagara West—Glanbrook has the potential to bring profound labour unrest in Ontario. This province has already been through that with both opposing parties. This is not what Ontarians want. It's in times like these that we depend on public services the most. I can assure the members present that creating unrest—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Carol Mitchell:** I thank the minister for his answer, and I'm very pleased to hear that this government will continue to respect the work of our public servants, contrary to the party opposite. However, I'm also concerned about the impact of the commitment, in the 2009 budget, that would see a reduction of employees in the Ontario public service by 5% over the next three years. I understand that this measure would save \$300 million annually, but I would not want to see these savings at the detriment of our public services.

Can the minister assure this House that this reduction will not negatively affect the important services that our Ontario public service provides?

**Hon. Ted McMeekin:** Yes, I can. Just for the record, I want to confirm that our budget did lay out a plan to reduce our OPS by 5%, or 3,400 full-time employees, over a three-year period, primarily through attrition and other measures. But I want to assure the member that the quality of service delivered to the public will not be compromised by these changes.

We have no intention of taking advice from a party that fired food and water inspectors and thousands of teachers and nurses. Our view on this issue could not be more different than theirs. The McGuinty government is committed to reinvesting in our public services, services that were completely decimated when the party opposite was in power. With the help of our employees, we have rebuilt the public service, and we're proud—proud—to be one of Ontario's 100 best employers—

**The Speaker (Hon. Steve Peters):** Thank you.

#### MINISTRY CONTRACTS

**Mrs. Elizabeth Witmer:** My question again is to the Minister of Health. It has come to our attention that the shady procurement practices or lack thereof exhibited by

eHealth Ontario are also occurring within the Ministry of Health. I have, on my desk here, an untendered contract worth three and a half million tax dollars for an institution which happens to be the former employer of Michael Guerriere, Matt Anderson and Dr. Hudson. I have been informed that the ministry approached this institution and offered it \$3.5 million to develop fact sheets for the Ontario diabetes registry. It is our understanding that this institution did not submit a proposal to the Ministry of Health for this cash.

Could you confirm, Minister, if this contract was indeed sole-sourced, and, if not, would you produce the proposal submitted by the institution which received the money?

**Hon. David Caplan:** It's a little bit hard to comment on something that the member is very sketchy in providing the details on: "Some public institution is doing something related to"—if the member wants to share details with me I would be very happy to respond.

I can tell the member that Dr. Hudson has done outstanding work lowering wait times in the province of Ontario. We have already seen the benefits of that work as wait times are lower for hips and knees, for cancer, for cardiac and for diagnostic services. This is the kind of work, this is the kind of agenda that this government has moved forward on. I'm always happy to be held accountable here in this Legislature or in its committees for questions of the like, and if the member has details and would like to share them with me—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Elizabeth Witmer:** In the Legislature yesterday, the Premier stated, "We've got to ensure that we are rigorous and careful with public dollars, whether they're being spent by the private sector through consultants or internally through government in our ministries." I understand that this is just one of many contracts sole-sourced by the Ministry of Health, whether to the public or the private sector.

Minister, does the Ministry of Health not have the expertise itself to develop these protocols? Why did you outsource this contract to an outside institution connected to three eHealth Ontario employees for three and a half million tax dollars? We understand that there's a big joke about that there is another Ministry of Health operating outside of the Ministry of Health.

1110

**Hon. David Caplan:** I'm not sure what the member is referring to. In fact, this government prides itself and has been extremely transparent in its dealings—

*Interjections.*

**The Speaker (Hon. Steve Peters):** It's not helpful, member for Durham. Minister?

**Hon. David Caplan:** Members on this side are very transparent in their dealings when it comes to, as the Premier has said, ensuring that we deliver value for the taxpayer dollar.

The ministry, in fact, has partners at local health integration networks, community care access centres and



many others in helping us deliver fundamental services to the province of Ontario when it comes to their health care.

This would not be unusual—well, perhaps it would be unusual for the member opposite, because when they were in government they cut hospitals, they fired nurses, they partnered with no one and unfortunately the result that Ontarians received was a degraded state of health care in the province.

I can tell you that this government works with a variety of partners—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

### SERVICES FOR DISABLED CHILDREN

**Ms. Andrea Horwath:** My question is to the Premier. Reverend Matt Gallinger is here from the Premier's hometown of Ottawa. He is seeking support for his 10-month-old daughter Daria, who has severe complex disabilities which warrant resources from the special services at home program. The family urgently requires access to this fund so that Daria can receive the nursing care she needs at home in a loving environment. Why is Reverend Gallinger finding it impossible to obtain funding through the government's special services at home program?

**Hon. Dalton McGuinty:** To the Minister of Community and Social Services.

**Hon. Madeleine Meilleur:** First of all, let me welcome the parents in the House today. We thank you for all the advocating you do on behalf of those parents who need special services at home for their children.

I'm very pleased to say in this House today that this government, since we came into power, has increased the money in this program by 45%. This year alone we will be spending almost \$100 million for this very good program, a program that parents need to be able to continue to keep their son or daughter at home and to care for them.

This program provides money to the parents to get service for their disabled child.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** A shameful political decision was made by the McGuinty Liberals to stop funding additional families and children with disabilities in this province. That's the reality.

Daria was born with cerebral palsy. She must be fed through a tube and has a host of exacting care requirements that qualify her family to receive support through this very program. The child advocate, the Ombudsman and New Democrats, as well as the community at large have all been pushing to have the McGuinty government meet its obligation to fund the needs of children like Daria.

Will the McGuinty government agree today to lift the cap they've imposed on care allowances for children with complex disabilities? Will you ensure that Daria and her

family receive the support they need from the special services at home program?

**Hon. Madeleine Meilleur:** My ministry provided special services at home to more than 27,000 families this year. We know that we need to do more. We will continue to work with the parents and to work with our partners in the community.

Last Friday I was very pleased to be with the Premier to open the Rotary Home in Ottawa. The Rotary Home is a respite home to give a break to parents when they need to go away. Of course, they cannot leave these children to anyone, so we have this respite service in Ottawa and across the province.

We will continue to invest in special services at home. I'm very pleased to say that we are helping 27,000—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

### MEDICAL ISOTOPES

**Mr. Jeff Leal:** My question today is to the Minister of Health and Long-Term Care. I know all members of this House are hearing from their respective communities about the reduction in supply of medical isotopes. As you know, the Chalk River reactor, which produces the majority of Ontario's isotopes, is down due to a leak. This is the second time in 18 months that Canada has faced such a shortage.

Medical isotopes are used to diagnose different kinds of cancer and cardiac care health issues. My constituents and the staff at the Peterborough Regional Health Centre are concerned about getting access to the diagnostic test if they need it. So I ask the Minister of Health, what is the ministry doing to ensure that access to these tests is not disrupted?

**Hon. David Caplan:** As the member from Peterborough rightly points out, the shutdown of the Chalk River nuclear reactor is a pressing and important issue. The reduction in the amount of available medical isotopes creates a challenge not just for the health care system in Ontario but for the health care system worldwide. It's a global disruption, and we are not immune. That's why we've taken proactive steps to address this challenge.

My ministry has implemented the Ontario medical isotope disruption plan. It has distributed two important notices to health care workers, informing them about what steps should be taken to conserve the current supply of isotopes. I have written to the federal Minister of Natural Resources. I've asked her about the federal government's plans to get Chalk River back up and running as soon as possible. I've offered her assistance from the province, if needed. We're working with our health care partners and with all levels of government to ensure our health system can respond directly to this challenge—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Jeff Leal:** Minister, it's reassuring to know that the province is doing all it can to manage this very



difficult situation. However, there's another aspect to this shortage that worries me and my constituents. In today's *Globe and Mail* there is a report that distributors of medical isotopes have increased prices due to this shortage. I'm concerned about the additional financial pressures this could put on the government's budget and our health care system. In these tough economic times, it becomes ever more challenging to manage these additional costs.

I know the province is in a difficult situation and resolving these issues depends in part on the actions of and much-needed leadership by the federal government. As such, I would ask what the Minister of Health is doing to engage the federal government on this very important and serious issue.

**Hon. David Caplan:** Again, my colleague from Peterborough raises a very important point. It's very concerning that distributors might be using their unfortunate situation as an opportunity to increase prices and to increase their profits. I'm going to continue to work with our federal government to resolve the situation. I've written to the federal minister and I will write to her again to ensure that the federal government addresses this issue. I have spoken with the federal Minister of Health.

I also want to ensure that our federal partners are providing us with timely information because we depend on the estimates to manage our supply of isotopes, as the diagnostic imaging and treatment needs of Ontario residents are extremely important. I want to encourage our federal government to be a leader among Canada's international partners.

As a province, we're going to continue to manage the disruption in supply. I know Ontarians will depend on these diagnostic tests—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

#### ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** To the Minister of Health, and it's regarding his so-called third party review, which is essentially a farce. Reviews have already been done. Policies are already in place. The problem is, they've been ignored by the board of directors, they've been ignored by Sarah Kramer, the CEO, and management. One of the individuals involved, a Dr. Penny Ballem, got thousands in taxpayer money even though she had no contract in place. This is clear proof that the rules are being broken; not that they don't exist, which you're suggesting with respect to this review. This review is clearly a sham designed to bury this scandalous misuse of taxpayers' dollars. The minister should resign and let someone else clean up his mess.

**Hon. David Caplan:** I know that the member opposite has had his run-ins with the Auditor General in the province before, but to call his review a sham I think is a new tone in this House. This is a non-partisan—unlike the member opposite—independent officer of this Legislature, and I think he has done outstanding work on behalf of Ontarians and on behalf of this Legislature over

the years. For this member to suggest that the auditor is not capable or that his review is a sham I think really speaks to other issues that this member has had in the past with the auditor and with his office.

I want you to know that I have full confidence in the auditor to perform his duties and to provide us with advice and guidance. I will act on the recommendations that he provides for me when it comes to—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

1120

**Mr. Robert W. Runciman:** This is a disgusting display. I was talking about the PricewaterhouseCoopers review, which he's been boasting about for the past couple of days and weeks.

We have e-mails with respect to this Dr. Ballem, which are saying things like, "We do not have a signed agreement," "I can't make payment"—a back and forth—and "A signed agreement is not necessary." The e-mails clearly show how eHealth contemplated having the Liberal-connected Courtyard Group pay Dr. Ballem and then get reimbursed from eHealth, in an attempt to break the rules already in place. And who approved the payment, despite the lack of a contract? Well, the fat cat from Alberta, the guy who's charging taxpayers \$15 for a nightcap.

It's not a lack of rules; it's that Hudson and Kramer have ignored the rules, breaking the rules already in place. They need to be fired. You need to resign. Put somebody in there who can do the job and clean up your mess.

**Hon. David Caplan:** The member again makes allegations that I don't believe he can support. PricewaterhouseCoopers is a very reputable firm, one of the top international firms when it comes to audits, management consulting and financial controls in the world. I should suggest to the member that if he's trying to undermine their reputation, I think he is way off base.

I should note for the member that my direction to the board is that there is an additional layer of oversight appointed by my ministry. PricewaterhouseCoopers is not a consultant. They're the agency's external auditor of record, and every corporation or agency of its size has an external auditor. The previous PWC review was largely focused on administrative policies. The new review will be much broader in scope.

The member said that I've been talking about this for weeks; it was only just—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### STUDENT ACHIEVEMENT

**Mr. Rosario Marchese:** My question is to the Minister of Education. Minister, I have a letter here from 21 of the organizations from your own education partnership table opposing your school information finder website. It says:

"At the Education Partnership Table meeting on April 6, 2009, Minister Wynne heard from virtually every rep-



representative that the site has had a negative impact for the many reasons we have stated in previous letters to you.

"We are united in our disappointment that our request on April 6, 2009 that the site be removed pending full consultation with all education stakeholders was denied."

The education partnership table is asking you to take down this offensive site. Will you do it?

**Hon. Kathleen O. Wynne:** It won't surprise the member opposite that I was at that meeting and that the partnership table members spoke to me. I'm very clear what their position is, I have received the letter, and at that meeting we agreed that the shopping bag that was on the website would be taken down—that has been done—that the rest of the information would stay up and that we would have a discussion.

I just have to note that there are approximately 600 visits to the school information finder every day, to the website—28,000 visitors between April 15 and June 1, 2009. We hear from people who say things like, "Finally! A place to get all the information on a school in one convenient place. What a great resource for parents. Really transparent look at school system! Well done!"

What we will do is have the conversation with the partnership table, who are the education stakeholders. They are very aware that we're going to be having that conversation, and we will make some decisions—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Rosario Marchese:** Minister, the partnership table wants to consult, but they're very clear: They want the site "removed while a meaningful and inclusive consultation with all stakeholders takes place."

The letter questions the content of the site, the lack of consultation, and it challenges your claim that there is widespread support for the information on the site. Further, your own partnership table is telling you that the social demographic data on this site is incongruous with the ministry's new equity and inclusive education strategy.

When is this site coming down?

**Hon. Kathleen O. Wynne:** As I have said, we are going to be having this conversation with the education stakeholders to talk about what more information should be on the site in order to flesh out the profiles of the schools. I don't need the member opposite to tell me the opinion of the education stakeholders. I know exactly what their position is, and as I have said before, we are very aware that they are not happy and that we need to have this conversation. But there are other people who are happy. There's more than one school of thought. I quote another person who visited the website: "I think this is great information to have. I don't think we should fear how this information will be used since it is only part of the picture."

It is very clear that the best way to get to know what's going on at a school is to visit that school. But there are people who want information about schools. We are providing a transparent, consistent and coherent way of getting it.

## AFFORDABLE HOUSING

**Mr. David Oraziotti:** My question is for the Minister of Municipal Affairs and Housing. Minister, affordable housing is an important priority for our government, and we are all well aware that the previous government had ignored this issue for years. As a result, the system was over capacity and underfunded. Vulnerable Ontarians were asking us for help. Municipalities were forced to administer social housing and were requesting support to handle the backlog. Through investments and programs like the rent bank and agreements with the federal government and our municipalities to create more affordable housing, we have made significant inroads in addressing the housing situation in Ontario.

Part of our platform in 2007 committed our government to launch a long-term affordable housing strategy. Minister, could you please tell us what progress to date has been made on developing this strategy and when we should hope to see the strategy?

**Hon. Jim Watson:** I want to thank the honourable member, who has been a great advocate for affordable and social housing programs in his riding in Sault Ste. Marie, both as a very successful city councillor and now as an MPP.

I'm pleased to report that today we're launching our affordable housing strategy and consultation process. I'm very pleased to report that my very first stop on our province-wide tour of listening to individuals will take place on June 16 in the honourable member's riding, in Sault Ste. Marie. My parliamentary assistants—Mario Sergio and Carol Mitchell—and I will be visiting 12 communities across the province, listening and learning so that we can help develop and build a long-term affordable housing strategy. We'd ask all Ontarians to go visit our website, [Ontario.ca/housingstrategy](http://Ontario.ca/housingstrategy), and encourage MPPs to hold consultations in their ridings as well.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. David Oraziotti:** Certainly, I appreciate your support on initiatives in our community. Affordable housing is essential to our success as a province, and together we need to work on ways to increase access to affordable housing in Ontario. Stable and secure housing provides a foundation for people to escape poverty and homelessness. It reduces the need for more costly government services and it attracts and keeps skilled workers needed to improve our economic competitiveness.

I understand that of the 1.3 million people who rent housing in Ontario, 20% are living in social housing. As well, approximately 6,000 Ontarians use shelters on a daily basis. These Ontarians want to succeed. They want to provide the best for their families but they need our help, and it's no secret that more needs to be done for affordable housing in Ontario.

With the launch of the consultations this month and the long-term affordable housing strategy, Minister, could you please outline some of the key principles, visions and goals of the consultation process?

**Hon. Jim Watson:** Our vision for a long-term affordable housing strategy is very simple: It's to improve



access to suitable and affordable housing that provides a solid foundation on which to secure employment, raise families and build strong communities.

We're not waiting for the consultation. This government has been very active when it comes to providing needed dollars to our municipal partners and to the not-for-profit sector. For instance, last year the Premier announced \$100 million that is already in progress of repairing and rehabilitating affordable housing units. Minister Duncan, in his budget, matched the federal contribution, to bring a total of \$1.2 billion in new money to build 4,500 affordable housing units across the province and to refurbish and rehabilitate 50,000 units. This is in addition to the work that we've done to provide over 20,000 rent supplements for those people who need help.

We're in the housing business, and we look forward to listening to the people that—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

1130

#### ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** Back to the Minister of Health. The minister's responses today, regrettably, reinforce the need for him to step down. eHealth is a mess. It's run by people who don't give a damn about the use of taxpayers' dollars. They have no reservations about billing taxpayers for \$15 cocktails or \$1.95 muffins while they're being paid thousands a day or doling out millions in untendered contracts to friends and Liberal supporters. The minister says, "Wait for the Auditor General," when the abuse is there for everyone to see. It's there, right in front of your face. Minister, will you step down and let someone else clean up your mess?

**Hon. David Caplan:** The member does raise legitimate concerns, and I've acknowledged those, as has the Premier, in this House. The Premier and I both agree that, while things are allowable, just because you can do it doesn't necessarily mean that you should do it. It's important not just for eHealth, but for all of us who have the privilege of serving the public, including every member of this Legislature.

We expect, I expect, that consultants will abide not only by the letter of the law but by the spirit of it as well. That's why I have taken the action to direct the board to undertake a third party review which is going to have the government auditor as a part of that review. That's why I've taken the steps, and I know the member disagrees—but having the Auditor General engaged and looking at his recommendations. The Auditor General is an independent officer of this Legislature.

I understand the partisan nature of the member opposite—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Robert W. Runciman:** The minister keeps saying, "Wait for the Auditor General," but the real motive here is to bury this story. There's clearly no need to wait

for the minister to do his job and take action. What he's doing day after day here is endorsing offensive misuse of taxpayers' dollars. He's protecting people like Sarah Kramer, who gets \$380,000 a year and gave herself a \$114,000 bonus after three months on the job; Allaudin Merali, \$60,000 a month, \$10,000 to \$15,000 in expenses, billing taxpayers for \$15 cocktails; Donna Stratling, \$2,700 a day, billing taxpayers for a Tim Hortons tea, a dessert square at Second Cup and a barbecue sub; \$2 million to Courtyard Group; Miyo Yamashita, \$268,000 for reading the New York Times and listening to voice mail, \$300 for talking to people on the subway.

Clearly, there is justification to get rid of these people, to clean this place up. You're obviously not up to the job. Step down and let somebody else clean up the—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. David Caplan:** This side of the House hasn't endorsed or condoned any of the expenses which have come to light. In fact, as the member, I hope, would acknowledge, it was he and his colleagues who set up the legacy agency which did not have the proper mandate, which did not have a plan, which did not deliver the results that Ontarians would expect. It didn't take the opposition or an auditor to bring those to light. It took my colleague, my predecessor, to order an operational review of the Smart Systems for Health Agency, and it took the action that I did to in fact replace that agency with one that would get the job done, which would develop for the first time a comprehensive eHealth strategy.

We are already starting to see good results yielded: an ePrescribing project linking pharmacy with primary care; the beginnings of a diabetes registry, through an expression of interest which has been fulfilled—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### NUCLEAR ENERGY

**Mr. Peter Tabuns:** My question is to the Premier. Premier, 13 environmental groups are urging you to hold off buying new nuclear reactors. Electricity demand is down. There's a surplus of nuclear baseload capacity. Will you listen to those environmental groups and delay the decision to buy new nuclear for several years? Will you do that?

**Hon. Dalton McGuinty:** I appreciate the question.

I had the really good fortune to meet with a legend: Dr. Lovelock, a British scientist. He's 90 years of age; he remains as active as ever. He developed the so-called Gaia theory, which I have known about for quite some time. The point is this: He's an acclaimed environmentalist, and he thinks that we need to build nuclear. He thinks that we've got to make some difficult choices.

I appreciate the position that my colleague has taken on this, but the fact is that there's a division among environmentalists as to what we need to do in the face of climate change, arguably the single greatest challenge confronting humanity. One of the things that we have



decided to do is to shut down coal-fired generation in the province of Ontario.

We need to maintain baseload. The wind doesn't always blow and the sun doesn't always shine. We've got to find a way to ensure we have baseload capacity. That's why we're looking at new nuclear.

### USE OF QUESTION PERIOD

**Mr. Peter Kormos:** On a point of order, Speaker: I'm referring to standing order 37, in particular 37(a). What prompts this point of order was the question put earlier during question period by the member from Huron-Bruce to the Minister of Government Services.

Now, I know that the tradition and convention here has been for the Speaker to allow a fair amount of leeway in terms of the type of question that's posed, but I would ask the Speaker to refer to the power of the Speaker to disqualify a question—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Order.

**Mr. Peter Kormos:** Standing order—

**Hon. Jim Watson:** It's not a point of order.

**The Speaker (Hon. Steve Peters):** The Minister of Municipal Affairs should be prepared to listen to this.

**Mr. Peter Kormos:** Standing order 37(a) gives the Speaker the power to disqualify a question that the Speaker "does not consider urgent or of public importance."

The question put by the member for Huron-Bruce to the minister was a not-very-veiled or concealed ad hominem attack on the member for Niagara West-Glanbrook. It clearly was made or put in the context of his being a candidate for the Conservative leadership.

I respect the right and the need for government members to ask questions during the course of question period. But I would also, Speaker, ask you to reflect upon the fact that increasingly the trend by government backbenchers during the course of their questions has been to ask questions about anything but matters that are urgent or of public importance.

So I'm asking you, Speaker—especially when you consider the power that is given to the individual member in standing order 38(a), because 37(a), which gives you the power to disqualify a question, also gives the right to the person whose question is disqualified to seek a late show with respect to that question.

Speaker, what I'm asking you to do is to please consider whether in this chamber we're going to be more effective during this very valuable one-hour period if the Chair—you—applies 37(a) more strictly than may have been the trend in the past.

**The Speaker (Hon. Steve Peters):** The government House leader on the same point of order.

**Hon. Monique M. Smith:** I know people are anxious to move on, so I will be brief. We believe that it is of public importance to talk about public services and contracts. We believe the question from the member from Huron-Bruce was completely legitimate and within the

standing orders, particularly standing order 37(a). We don't believe that standing order 38(a) has any relevance in this discussion as there was no question of a late show being called for.

We appreciate the Speaker's consideration.

**The Speaker (Hon. Steve Peters):** I thank the member from Welland and the government House leader for the point of order that was raised. I will take the opportunity to review the situation, take the matter under advisement and report to the House as quickly as possible.

The time for question period having ended, this House stands recessed until 3 p.m.

*The House recessed from 1139 to 1500.*

### INTRODUCTION OF VISITORS

**Mr. Frank Klees:** I am honoured to introduce family members of James Albert Rice, who are in the House with me today. I will have the honour of paying tribute to Jim Rice later on in the proceedings.

Present with us are Mary Rice, his widow, Doris MacDonald, Douglas MacDonald, Bobby MacDonald, Barb Collins, Aaron Collins, Patty Rice, Joe Pfaff, Jimmy Rice, Susan McGovern, John McGovern, Euston McGovern, Conrad McGovern, Parker McGovern, Michael Rice, Martha Rice, Theresa Davis and Matthew Rice. I would ask that we welcome them warmly to the Legislature.

**The Speaker (Hon. Steve Peters):** Welcome to Queen's Park.

Member from Durham.

**Mr. John O'Toole:** Thank you, Speaker. I want to welcome Mr. Michael Hackenberger, who is president of the Bowmanville Zoo; his wife, Wendy Korver, who is a veterinary doctor; Kurt Hackenberger, his son; Birk Hackenberger, his son; Anita Hackenberger, his mother; Peter, his father; Darlene Christianson, a staff person; and Rob Clements and Stephanie McEwan, who are all members of the family around the Bowmanville Zoo.

**Mr. Robert W. Runciman:** This could be a speculative introduction, because I'm going to be saying a few words about the late Gordon Dean, a former member of the Legislature. I'm not sure if members of the Dean family are present; I wasn't advised. But if they are—I'm getting a wave—welcome; it's good to have you here today.

**The Speaker (Hon. Steve Peters):** Welcome to Queen's Park.

I'd like to take this opportunity to welcome to the Ontario Legislature today the Ontario Association of Former Parliamentarians, who are today celebrating their annual meeting: George Ashe, Bill Barlow, Robert Callahan, Gordon Carton, former Speaker Hugh Edgihoffer, Herb Epp, Steve Gilchrist, Karen Haslam, John Hastings, Don Knight, Mac Makarchuk, Margaret Marland, Judy Marsales, Gord Miller, Lily Munro, David Neumann, Hugh O'Neil, Yvonne O'Neill, John Parker, Tim Peterson, Jack Riddell, Derwyn Shea, Yuri Shymko,



David Smith, John Smith, Joe Spina, Gary Stewart, Anne Swarbrick, George Taylor, former Speaker John Turner, Murad Velshi, former Speaker David Warner, John Williams, Doug Wiseman and Jim Wiseman. Welcome, former members, to Queen's Park today.

## MEMBERS' STATEMENTS

### JAMES RICE

**Mr. Frank Klees:** I rise to pay tribute to the life of James Albert Rice, whose family is here with us today.

Jim was born on July 14, 1932, and was raised in Richmond Hill, Ontario. He and his wife, Mary Decantis, married in 1952 and raised seven children. They were blessed with 18 grandchildren.

As the great entrepreneur that he was, Jim embarked on a career as a general contractor, founding the James A. Rice Ltd. construction company in York region. Among his numerous and notable municipal, provincial and national project contracts was that of prime civil contractor for the military aeronautical communications system for the Department of National Defence in five provinces across Canada.

Over the years, Jim employed hundreds of skilled workers who remember him as an employer who encouraged them to constantly enhance their skills in the pursuit of excellence.

Throughout his life, Jim Rice made many contributions to his community and his industry. He served as a York region Catholic school trustee, worked with numerous charities and was a valued member of the Toronto Construction Association executive. In his later years, Jim also served as a member of the sovereign council of the Knights of Malta.

I am honoured, as a member of this Legislature and as a friend of James Albert Rice and his family, to invoke the recognition of all members of the Legislature of this great Canadian for his spirit of giving to his family, to his employees and to his community. May that spirit inspire us all.

### BATTLE OF STONEY CREEK

**Mr. Paul Miller:** As this month begins, our thoughts become consumed by barbecues, the beach and all the other elements of summer. But June represents more than just this; it represents a pivotal moment in Canadian history, a moment which occurred in Hamilton East-Stoney Creek. June 6 will mark the 196th anniversary of the battle of Stoney Creek, a turning point in the War of 1812 and a defining moment for Canada.

The battle saw over 700 greatly outnumbered British troops regain land previously taken by American forces. It was a starting point for a major push by the British. Following its conclusion, the American advance in the Niagara region ceased. It was a decisive victory for our

troops, and it successfully interrupted the entire American invasion plan for Upper Canada.

As a former battle re-enactor, this anniversary is of great significance to me, as well as to many of my constituents. The re-enactment not only permits people of all ages to experience a better understanding of their heritage, but to also remember one of the greatest triumphs in Canadian history.

The events of that night have recently been recounted by local author James E. Elliott in his new book, *Strange Fatality*. I had the privilege of attending the release of this novel about the battle of Stoney Creek. Elliott tells stories of the courageous individuals who made this victory possible, individuals who should be recognized as Canadian heroes.

The battle of Stoney Creek was a defining moment for Canada, and a triumph both in the war and in Canadian pride.

The clash of June 6, 1813, has not been given the respect it deserves, and I am pleased to take this moment to have it recognized here today.

### UNIVERSITY OF TORONTO SCARBOROUGH

**Mr. Wayne Arthurs:** I rise today regarding an exciting development that was announced last week for the University of Toronto Scarborough, which is located in my riding of Pickering-Scarborough East.

The University of Toronto Scarborough was founded in 1964, and the first students began classes there in 1966.

I had the privilege to join Professor Franco Vaccarino, principal of UTSC, in announcing that through the knowledge infrastructure program, the University of Toronto Scarborough has received \$70 million to fund the development of a new instructional centre. This funding was jointly provided by the government of Canada and the government of Ontario. This development will result in the single largest expansion at UTSC since 1966 and will increase teaching and research space at the school by 25%.

Principal Vaccarino stated, "This is a major announcement for UTSC and for the region. Recent unprecedented growth at the campus has created a critical mass of programs and scholarship and this infrastructure project allows us to build on this exciting momentum. With few universities in the eastern GTA, this new facility, paired with our scope and breadth across the arts and sciences, positions UTSC to lead the burgeoning innovation economy of our region."

Adding to the growing influence that UTSC will have on Scarborough and Durham region is the recent announcement that UTSC has been picked to house the largest new facility for the Pan Am Games if Toronto and Ontario win their bid to host the 2015 games. The proposal for the Scarborough campus is for a \$170-million world-class athletic complex.

The University of Toronto Scarborough is undergoing a fundamental transformation and without a doubt will be



recognized not only in Toronto and Ontario, but throughout the whole of Canada.

Congratulations, UTSC.

#### TAY CANAL

**Mr. Randy Hillier:** This summer, an important part of our heritage and history will celebrate a landmark event. This summer, the Tay Canal in Perth will celebrate its 175th anniversary.

As we all know, UNESCO designated the Rideau Canal a World Heritage site in 2007.

These canals have been tourism and economic draws for eastern Ontario and my riding.

In 2008, National Geographic magazine recognized this region and the Tay Canal as one of the most attractive world tourist destinations.

Having been completed in 1834, the Tay Canal steering committee will host a week-long celebration of 175 years of heritage and contribution to the town of Perth. In February, 2009, Mayor John Fenik and council for the town of Perth officially declared the week of July 4 as Tay Canal Week.

Take a moment and check out [tayriver.org](http://tayriver.org) for events, activities and some wonderful Lanark county charm. I encourage my colleagues and all tourists to drop by my hometown and join me in celebrating our heritage, our history and our culture in Perth. I hope to see you there.

1510

#### EVENTS IN AJAX-PICKERING

**Mr. Joe Dickson:** The Pickering and Ajax Rotary Clubs will host over 35,000 residents at the ribfest at the Pickering civic centre this weekend. Come on out for the ribs, music, hospitality and carnival, all chaired by Lon Harnish, which is this Friday, Saturday and Sunday. The profits from this all go back into our two Ajax communities.

Also, the 39th annual Ajax Home Week kicks off the following weekend, Friday, June 12, featuring a new Ajax Home Week Mardi Gras night-time parade, DuPont antique car show, Ajax Lions pasta night, Rotary pancake breakfast on Father's Day, Ajax Kinsmen giant arena dance at \$10 a head, and the town's This is Our Ajax! day.

Sunday is waterfront day. From the pancake breakfast between 8 and 11, the waterfront festival, under Wilma Graham, will feature over a dozen venues for people and kids of all ages, all day and all evening long.

This year's Community Services Day includes a police helicopter landing and special police vehicles. The grand finale is Durham's largest annual fireworks at 10 p.m. on Sunday, which is chaired by firefighter Patrick Hayes.

Our sincere thanks to the hundreds of volunteers, like Ken Brown and Wilma Graham, and other key members like Angela Burke, Mike Fitzpatrick, Tom McBride,

Vickie Camara—the list goes on—but primarily our Ajax Kinsmen, Legion, Lions and Rotary clubs.

#### BOWMANVILLE ZOOLOGICAL PARK

**Mr. John O'Toole:** I rise today to pay tribute to the Bowmanville Zoological Park. It's celebrating its 90th anniversary. This is the oldest private zoo in North America and also the largest stable of trained animals in North America, and I'm proud to say that it is in my riding of Durham in Bowmanville.

It is home to many of the animals we see every day in movies, advertisements and television productions. Popular stars such as the elephant Angus and the lion Bongo were household names for many of us. In addition, the park has established itself as an important voice in education, conservation and animal protection. It is a popular destination for tourists and local families alike, with daily presentations at its 400-seat animal theatre.

The property was originally known as the Cream of Barley Park when it opened in 1919 as a small tourist resort and petting zoo on Highway 2. The Connell family acquired the Cream of Barley Park in the 1950s, changing the name to the Bowmanville Zoo in 1964. It came under new ownership in 1988 as the Bowmanville Zoological Park.

Ontario is in the midst of celebrating National Tourism Week, from June 1 to 7. Ontario's tourism slogan could also be used to describe the Bowmanville Zoological Park: There's no place like it. Congratulations to its director, who is joining us here today, Michael Hackenberger, who is joining us here today, and his wife Wendy and their family, on celebrating their 90th anniversary in a successful tourist business.

#### SHERIDAN COLLEGE

**Mrs. Amrit Mangat:** On Monday, May 25, I had the opportunity of announcing that \$31.2 million in funding will be given to the Sheridan Institute of Technology and Advanced Learning to open a new institute in Mississauga. This new Sheridan campus will accommodate an additional 9,000 students and deliver a wide range of programs, including business programs and programs in animation and digital media, and will help newcomers to upgrade their skills and training to better integrate into Canadian society.

By investing in Sheridan, the government of Ontario is not only helping to create the competitive workforce of tomorrow in this ever-shrinking world with ever-growing diversity, but also helping to boost the economy. These projects together will create more than 300 jobs in Mississauga. This is great news for Mississauga and for the entire region.

I want to congratulate Sheridan and each and every resident of Mississauga. Moreover, I'm proud to be part of a government, under the leadership of our Premier, that is committed to deliver essential services such as



education, despite the challenging economic times we are going through.

### MEDICAL SCHOOL

**Mr. David Oraziatti:** I rise in the House to congratulate the first doctors ever to be trained in northern Ontario. Four years ago, our government took a significant step toward increasing access to primary care for northern Ontarians by opening the Northern Ontario School of Medicine, the first medical school built in Canada in 30 years.

In 2005, the school opened its doors to 56 new undergraduate medical students, and today I applaud the first graduating class of new physicians in northern Ontario. Four of those graduating students are from my riding of Sault Ste. Marie. I'd like to congratulate Mark Bennett, Philip Berardi, Jonathan DellaVedova and Jennifer Patterson. Our government is making the investments needed to ensure that we have greater access to primary care.

In our 2009 budget, we announced that we will also be adding 100 new medical school spaces, eight of those at the Northern Ontario School of Medicine. In total, Ontario's six medical schools will welcome 952 first-year medical students in September 2011—a remarkable 38% increase since 2004.

By training more medical students, we're helping to ensure that Ontarians will have increased access to primary care for years to come. This is in stark contrast to the NDP, who cut medical school spaces by 13%, and the Conservatives, who did very little to increase medical school supply for eight years.

Increasing medical school spaces is just one more way we're helping Ontarians. In my riding of Sault Ste. Marie, we're building a new \$408-million hospital and creating a nurse practitioner clinic.

### LEGISLATIVE INTERNS

**Mrs. Laura Albanese:** It is with great pleasure that I rise today on behalf of the MPPs who were chosen to participate in the Ontario Legislature internship program this year. The program has a long tradition of attracting the best and the brightest individuals of our province. It is a highly competitive program with an equally highly regarded reputation that catches the attention of applicants from a range of backgrounds, both academic and cultural.

Once accepted to the program, all interns split their time at Queen's Park between two members, spending half of their time working for a government MPP and the other for an opposition MPP, in what is truly a unique experience. As part of their responsibilities, interns are asked to write an academic paper, learn the ins and outs of the legislative process and assist the member in a number of ways.

This year, I had the great fortune of being selected by one of our interns. Igor Delov, certainly a very bright

young man with a keen sense of humour, joined our team for about three months, helping with correspondence, speeches, member's statements and research. He also had the opportunity to join me at a number of exciting announcements and spent time in my constituency office in the riding of York South-Weston. An outgoing, intelligent individual, Igor has a lifetime of opportunity and exciting prospects ahead of him, and I look forward to following his professional growth. He has been an excellent intern and an outstanding ambassador for the program.

Over the years, all the interns have gone on to great things, and I would expect no less from this year's group.

### ONTARIO ASSOCIATION OF FORMER PARLIAMENTARIANS

**The Speaker (Hon. Steve Peters):** I know a couple of members have asked—the fact that the former parliamentarians are here. There is a tree planting, if anyone is interested, taking place at 4:45 on the east lawn, just outside of my office. You can accept my permission to attend their reception from 5 until 6:30 in room 230.

1520

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Mrs. Julia Munro:** I beg leave to present A Report on Agencies, Boards and Commissions: Ontario Trillium Foundation from the Standing Committee on Government Agencies and move the adoption of its recommendations.

**The Speaker (Hon. Steve Peters):** Does the member wish to make a brief statement?

**Mrs. Julia Munro:** At the Chair of the Standing Committee on Government Agencies, it is a privilege to table the third in a series of reports on our review of agencies, boards and commissions of the province.

The report of the committee commends the Ontario Trillium Foundation for the important work the agency undertakes and also makes some recommendations for improvements.

I would like to take this opportunity to thank the chair and staff of the Trillium Foundation for their assistance at all stages of the committee review and to express our appreciation to those people who made presentations both in person and in writing. I also thank the committee members for their contributions to the review process. Thanks as well to our research officer, Andrew McNaught, and the clerk of the committee, Douglas Arnott.

I move adjournment of the debate.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Debate adjourned.*



## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr. Michael Prue:** I beg leave to present a report from the Standing Committee on Regulations and Private Bills and move its adoption.

**The Clerk-at-the-Table (Ms. Tonia Grannum):** Your committee begs to report the following bills without amendment:

Bill Pr16, An Act to revive Deep River Management Services Inc.;

Bill Pr24, An Act to revive a corporation named New Hermes Limited in English and New Hermes Limitée in French;

Bill Pr26, An Act respecting The Sisters of St. Joseph of the Diocese of London, in Ontario.

**The Speaker (Hon. Steve Peters):** Shall the report be received and adopted? Agreed.

*Report adopted.*

## INTRODUCTION OF BILLS

### ALLAURA INVESTMENTS LIMITED ACT, 2009

Mr. Klees moved first reading of the following bill:

Bill Pr15, An Act to revive Allaura Investments Limited.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

### CITY OF OTTAWA AMENDMENT ACT, 2009 LOI DE 2009 MODIFIANT LA LOI SUR LA VILLE D'OTTAWA

Mr. Naqvi moved first reading of the following bill:

Bill 194, An Act to amend the City of Ottawa Act, 1999 / Projet de loi 194, Loi modifiant la Loi de 1999 sur la ville d'Ottawa.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement?

**Mr. Yasir Naqvi:** This bill amends the City of Ottawa Act, 1999, to establish an independent board of health in the city of Ottawa. The act outlines the composition, functions and duties of the new board of health. This particular bill is in conformity with the city of Ottawa council motion dated October 22, 2008.

## 1312510 ONTARIO LTD. ACT, 2009

Mr. Dickson moved first reading of the following bill: Bill Pr22, An Act to revive 1312510 Ontario Ltd.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

## MOTIONS

### CONSIDERATION OF BILL 191

**Hon. Monique M. Smith:** I move that pursuant to standing order 74(a), the order for second reading of Bill 191, An Act with respect to land use planning and protection in the Far North, be discharged and the bill be referred to the Standing Committee on General Government.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

### ORDER OF BUSINESS

**Hon. Monique M. Smith:** I believe we have unanimous consent to put forward a motion regarding government business and committee business.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Monique M. Smith:** I move that, notwithstanding prorogation, the following business remaining on the Orders and Notices paper be continued and placed on the Orders and Notices paper of the second sessional day of the second session of the 39th Parliament at the same stage of business for the House and its committees as at prorogation:

(1) All government bills except Bill 1, An Act to perpetuate an ancient parliamentary right, and Bill 24, An Act to amend the Assessment Act, Community Small Business Investment Funds Act, Corporations Tax Act, Education Act, Income Tax Act, Land Transfer Tax Act and Taxation Act, 2007; and

(2) The following private members' public bills:

Bill 14, An Act to deem that the Building Code and the Fire Code require fire detectors, interconnected fire alarms and non-combustible fire escapes;

Bill 96, An Act respecting protection for registered retirement savings;

Bill 106, An Act to provide for safer communities and neighbourhoods;

Bill 132, An Act to amend the Liquor Licence Act;

Bill 164, An Act to amend the Motor Vehicle Dealers Act, 2002; and

That the following committees be authorized to meet during the adjournment and/or, in the event of the prorogation of the first session of the 39th Parliament and

notwithstanding such prorogation, during the interval between the first and second sessions of the 39th Parliament, as follows:

The Standing Committee on Public Accounts may meet up to two days by agreement of the subcommittee members with respect to dates, and may sit additional days by agreement of the House leaders of the recognized parties conveyed in writing to the Clerk of the Assembly;

The Standing Committee on Estimates may meet on July 29 and 30, 2009;

The Standing Committee on General Government may meet to consider Bill 173, An Act to amend the Mining Act, and Bill 191, An Act with respect to land use planning and protection in the Far North, in Toronto on August 6, 2009, and to adjourn from place to place on August 10, 11, 12, and 13, 2009;

The Standing Committee on Government Agencies may meet for up to three days by agreement of the subcommittee members with respect to dates;

That, notwithstanding the order of the House dated June 11, 2008, the Select Committee on Elections be authorized to present its final report to the Legislature no later than June 30, 2009; and

That the committees be authorized to release reports by depositing a copy of any report with the Clerk of the Assembly during the summer adjournment, and that upon resumption of the meetings of the House, the Chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

**The Speaker (Hon. Steve Peters):** Have all members heard the motion? Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

## STATEMENTS BY THE MINISTRY AND RESPONSES

### MOIS DES PERSONNES ÂGÉES SENIORS' MONTH

**L'hon. M. Aileen Carroll:** Aujourd'hui, l'Ontario souligne le 25<sup>e</sup> anniversaire du Mois des personnes âgées, qui est célébré dans les collectivités de l'ensemble de la province.

Today Ontario marks 25 years of celebrating Seniors' Month in communities right across the province—25 years of celebrating our seniors, their contributions to their communities and their exceptional and unique stories.

It gives me great pleasure to welcome the members of the Ontario Seniors' Secretariat liaison committee. Thank you for joining us today in the Legislature.

Le thème pour ce 25<sup>e</sup> anniversaire du Mois des personnes âgées est : « Créer un environnement accueillant dans nos communautés pour les aînés ». Il traduit la volonté de façonner des milieux qui contribuent à

améliorer la qualité de vie des aînés et qui assurent leur pleine participation à la vie de leur communauté.

1530

This year's silver anniversary theme for Seniors' Month is creating age-friendly communities. It reflects a movement to create environments that enhance the quality of life for seniors and ensure their full participation in civic life.

Earlier this week, I officially launched Seniors' Month at Ryerson University at their second annual Silver Screens Arts Festival. The festival does a superb job of showcasing visual art and live performances by seniors enrolled in the university's LIFE Institute. It is a continuing-education program designed for mature students aged 50 and up. Seniors enrolled in the theatre courses are taught by talented and energetic instructors.

The LIFE Institute is an excellent example of how schools like Ryerson and other learning centres are helping to create age-friendly communities by providing opportunities for seniors to stay active and engaged.

And the timing could not be better. According to the World Health Organization, by the year 2050, seniors will make up 22% of the global population. For the first time in human history, there will be more older people than children 14 and younger. Here in Ontario, the number of seniors will more than double to 3.5 million over the next 20 years.

Nous sommes conscients que l'expérience, les connaissances et les contributions de nos personnes âgées seront essentielles pour édifier des collectivités dynamiques et vibrantes en vue d'y attirer des penseurs novateurs et des investisseurs.

We know that the experience, skills and contributions of our seniors will be vital in building more dynamic, vibrant communities that attract innovative thinkers and investors. But in order for those dynamic, vibrant communities to really thrive, they need to provide the services and supports that improve the quality of life for residents of all ages and make it easier for them to participate. That is why libraries, seniors' centres and educational institutions like Ryerson are vital. As community institutions, they promote lifelong learning and develop programs that help seniors stay healthy and active.

And more important, or equally important, the Ontario government also supports seniors in many, many ways. The government is committed to making sure that in Ontario, seniors live safely, they live with dignity and they live as independently as possible.

As more people reach their senior years, the face of our province will change, and it is our job to ensure that the province is prepared. The Ontario Seniors' Secretariat works with seniors' organizations and other community partners to deliver a range of programs and services, including seminars on such topics as safe medication use.

Over the next several months, the secretariat will be working with the Ontario Coalition of Senior Citizens' Organizations and la Fédération des aînés et des retraités francophones de l'Ontario in order to host six regional forums on age-friendly communities. These forums will



help local leaders recognize the benefits of developing an age-friendly strategy.

One of the biggest abuses—one of the biggest threats to an age-friendly community is elder abuse, and Ontario has taken action to remove that threat through a comprehensive elder abuse strategy, the very first of its kind in Canada. The strategy's top priorities are to coordinate community services, train front-line staff and raise awareness of this very serious and unacceptable problem. We are putting that strategy into action thanks to a history of strong partnerships with the Ontario Victim Services Secretariat, the Ministry of the Attorney General, and the Ontario Network for the Prevention of Elder Abuse.

We have invested \$2.77 million over the past three years to combat elder abuse, and last month I joined ONPEA in announcing a \$415,000 Ontario Trillium Foundation investment in a new, province-wide hotline to assist abused and at-risk seniors. The Seniors Safety Line provides information, referrals and support 24 hours a day, seven days a week, and it does so in over 150 languages, because those languages represent the faces of Ontario; those languages are the languages that we, as a multicultural and incredibly diverse society here in Ontario, speak. Elder abuse is frequently something that people are ashamed of and frightened by, and it's obviously something that occurs on occasion, sometimes when seniors are isolated, so it is imperative that we have a lifeline into their homes in the language which they speak and understand.

On June 15, Ontario will be joining the rest of Canada and indeed the rest of the world in marking World Elder Abuse Awareness Day.

Ontario has invested, as well, more than \$1 billion in an aging at home strategy. This strategy supports independent seniors in their own homes by matching them with appropriate health care support services available in their communities.

The recent budget contained measures that benefit seniors, including doubling the senior homeowners' property tax grant to \$500. This, of course, will provide some real relief to low- and middle-income seniors who are trying to stay in their own homes. That increase will come into effect at the beginning of 2010.

These are some of the initiatives we have already taken to improve the quality of life of our seniors, and we will continue to work hard to develop others.

Finally, this month also marks an important milestone for our veterans. Saturday June 6—that's this coming Saturday—marks the 65th anniversary of D-Day and the Battle of Normandy. A commemorative event will take place on the front lawn of this Legislature to pay tribute to the tremendous sacrifice and bravery of our veterans who risked everything to ensure victory for the Allied forces. The average age of a Second World War veteran right now is 85 years old. This ceremony is an opportunity to recognize their achievements and remember those who died for their country in the struggle for peace and freedom.

There are many other events during these next few weeks that we should take note of. For those who are interested, for a comprehensive list of Seniors' Month events, I'd encourage you to visit the Ontario Seniors' Secretariat website.

J'espère que vous prendrez le temps de participer aux activités organisées dans votre collectivité et que vous vous joindrez aux célébrations du 25<sup>e</sup> anniversaire du Mois des personnes âgées en Ontario.

I hope that you will take the time to attend activities in your communities and help celebrate the 25th anniversary of Seniors' Month in this fair province of Ontario.

**The Speaker (Hon. Steve Peters):** Responses?

**Mr. Gerry Martiniuk:** It is with much pride that I rise today to pay tribute to the senior citizens of Ontario during Seniors' Month. Allow me to begin by stating that our seniors deserve and have the right to live with dignity, honour and respect and we must all work together to ensure that they receive no less.

The seniors of today, whether they're our mothers and fathers, our grandmothers or grandfathers, our uncles, aunts and neighbours, deserve much of the credit for the freedoms we enjoy today. They helped build this great country for us and future generations, and many defended the honour of our country in the armed forces.

1540

Sadly, our seniors are neglected by the McGuinty Liberals. Instead of acknowledging the needs of senior citizens, this government has abandoned them. The latest hit levelled at our seniors by this government is the McGuinty new sales tax. Ontario seniors will be among the hardest-hit people in Ontario by this tax grab. According to a report by Wernham Wealth Management, a retired couple earning an after-tax income of \$41,000 will face a tax increase of \$1,500 a year when purchasing items such as heating oil, Internet services, haircuts and coffee. Mr. McGuinty should be making life easier for our seniors, not bullying his way into their pocketbooks and diminishing their golden years. Shame on you, Dalton McGuinty.

This government also continues to keep a tight rein on the pensions of our seniors who worked for many long, hard years to earn that income. How can this government justify holding back money these seniors have access to in order to improve their quality of life? Last month, this government voted against a private member's bill by MPP Ted Chudleigh that would have given Ontario retirees access to 100% of their locked-in pension money. After all, it is their money.

*Interjections.*

**The Speaker (Hon. Steve Peters):** I just would ask the members that—this is ministerial statements. The minister gave her statement and there was some noise but very little heckling taking place. I would just ask that the honourable member has the opportunity to respond to that statement and you allow him to respond. I would appreciate those members to be sitting in their seats as well.



**Mr. Gerry Martiniuk:** Senior citizens deserve better, and Dalton McGuinty is not meeting their needs. More than 25,000 Ontario residents are waiting for a long-term bed and this government continues to ignore this growing problem.

Ontario is currently home to 1.6 million seniors. What's going to happen in 2028, when the number of seniors in Ontario doubles? What is the plan to assist those who need to move to a long-term-care facility? Senior citizens deserve better and Dalton McGuinty is not meeting their needs. This government continues to ignore our seniors' right to a secure and comfortable home by refusing to build new long-term-care beds. Instead, seniors end up in acute care beds in our hospitals that are in short supply. How would you like to live out your days, months and years in a hospital? Shame on you, Dalton McGuinty.

Those seniors who are fortunate enough to get a bed in a long-term-care facility are not receiving the amount of personal care they require. Despite repeated pleas from long-term-care homes, this government has refused to provide residents with the three hours of daily personal care they need. I have heard many horror stories about residents lying in their own waste for hours or not eating for hours after the usual mealtime. Shame on you, Dalton McGuinty.

And many of our seniors must shake their heads in disbelief when they see the unfairness of Dalton McGuinty and his \$4-billion bailout of the GM pension plan. He plays a reverse Robin Hood, taking from the needy and giving to the prosperous. The \$4 billion will be used for a small, select group in our province, without similar assistance being given to thousands of other pension holders whose pensions are also underfunded and failing, and absolutely no thought to helping the 70% of seniors without private pension plans whose small savings have been ravaged by the recession and must struggle every day to pay the bills. Yes, it soaks the middle class and gives to the rich, and it gets worse. Each and every senior in Ontario, without regard to their needs, will be called upon by the McGuinty government to pay an amount of \$700, being their share of the \$4-billion bailout. And please remember, the \$4 billion does not save one job. It is a gift to former employees.

Seniors' Month is an important annual event in our province, and it's an ideal time for us all to thank seniors for their contribution to our communities, province and country. Thank you.

**Mr. Paul Miller:** As the NDP critic for seniors' issues, I am proud to celebrate Seniors' Month. Throughout the month of June, we have a chance to thank seniors for all they do for our society. They share with us their wisdom, which they have accumulated over many years; they tell us their stories; they contribute to our province through the hard work they continue after retirement. The impressive number of hours that seniors put into volunteering is one reason we should thank them this month.

One specific group of seniors I want to mention is veterans. The Legion branches in Hamilton and Stoney

Creek are very active in my community, like they are across this province. Veterans served our country bravely, and they deserve our respect and thanks each and every day for the sacrifices they have made.

Senior citizens helped to forge this province. They worked their whole lives to make it the wonderful place it is today, and we should show our appreciation for this all year long, not just in the month of June.

Yet I am concerned that the government is not doing enough to protect their right to live in dignity and with respect. It is alarming that this government is no longer committed to fulfilling its obligation to properly backstop the pension guarantee fund. Seniors, like all of us, deserve to retire with security and dignity, and they should not have to worry about their pensions because the government will not fulfill its responsibilities to them.

Another troubling issue is the way the government has treated grandparents raising grandchildren. Many grandparents care for their grandchildren when the parents are unable to do so. Recently, grandparents had to take action to ensure that funding to care for their grandchildren was reinstated after they were cut off by this government. I was proud to work with them on this issue, to have funding reinstated in the greater Hamilton area, but they should never have been cut off in the first place.

In closing, Seniors' Month gives us all a chance to reflect on the contribution seniors make to our province—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock, please.

I just remind the government side again: The government statement was dealing with Seniors' Month; the opposition, whether the government likes it or not, is speaking to seniors' issues. I ask that you be respectful of the opposition members in their responses.

**Mr. Paul Miller:** Thank you, Speaker. They really have a problem with that.

In closing, Seniors' Month gives us all a chance to reflect on the contribution seniors make to our province, and also on the things that government should be doing to protect their rights. I encourage everyone to take the time this month to reflect on the many ways that seniors have contributed to our lives, to thank them and to remind them of how much we appreciate all they have done for us and all they will continue to do. Seniors are a critical part of our society, and they deserve great treatment.

**M<sup>me</sup> France Gélinas:** I too would like to add my voice to Seniors' Month. June is always a special month for me because of all of the different activities that take place to celebrate Seniors' Month in my riding—we go all out.

But what I want to talk about is how important it is to keep seniors in our community so we can learn from them and share our lives with them. In order to do this, seniors often need a little bit of support as they grow frail. That support will often come through home care through our community care access centres. But again, in



our society right now, the Liberal government has put back into effect the competitive bidding system for home care.

The competitive bidding system has decimated our home care system, which means that a lot of seniors who want to age and stay in their homes are not able to do so. It makes the agencies that offer home support and home care programs unable to recruit and retain a stable workforce, which is so important for quality of care for seniors who wish to age in their own homes. They often end up in trouble and in hospital, and then they are labelled alternate level of care, which means they don't want to be in hospital, they do not need to be in hospital, but the home care system is not there to support them in their own homes and there are no beds for them to go into a nursing home.

This is poor-quality care for those seniors at the worst time of their lives, when they need us to support them a little bit so we can continue to gain from them. If they end up transferring to a long-term-care home, then the care levels are often abysmal.

We have been asking in legislation, first in legislation under the Long-Term Care Homes Act, and the government refused, then in regulation, to have 3.5 hours of hands-on care mandated so that everybody who is in a long-term-care home receives the care they need to live with dignity. But here again we are failing our seniors. So, the month of June could be whole lot happier with those two little changes.

Thank you, Mr. Speaker.

1550

**Hon. Monique M. Smith:** On a point of order, Mr. Speaker: I believe we have unanimous consent that the member for St. Paul's speak for up to five minutes, and that following the statement by the member from St. Paul's, five minutes be allotted to each party to speak in tribute to the late Gordon Dean.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

#### RESIGNATION OF MEMBER FOR ST. PAUL'S

**Mr. Michael Bryant:** Ten years ago today was one of the most exciting days of my life, unquestionably my most exhilarating moment in politics: I got elected as the member of provincial Parliament for St. Paul's. It was the night of June 3, 1999. The Honourable Isabel Bassett, then a cabinet minister, could not hide her disappointment in honourable defeat, but she could not have been more honourable and gracious that night and throughout the campaign.

Neither I nor my parents, who were there—they came in from Victoria—nor Susan Abramovitch, my better half—hello—will ever forget that night. It was a night of honour, celebration and hope.

Political entrances, after all, are affairs of unbridled hope—nothing but the promise of the joyful unknown; political exits, on the other hand, can be a little brutal, whether the deep cut of electoral defeat or the voluntary

resignation, inevitably shrouded in intrigue, real or imagined.

'Twas ever thus. The best we can hope for, when our political exit comes, is to trumpet the good memories, to find forgiveness amongst the chagrined, to muster maximum grace amid the unanswered and the unfulfilled.

Being an MPP is the best job I'll ever have. Sometime in my first term, coming down those stairs in this beautiful building, I literally pinched myself, hard. It was a feeling of the fulfillment of a dream and of living that dream.

As a rookie MPP, I came to realize the power of the bully pulpit, exercised through the sacred elected office through this Parliament's platform: a blow horn for democracy. You stand on that front lawn of Queen's Park and you have a chance to speak; you stand in this chamber, at these desks, and you have a chance to be heard, to officially advocate on behalf of the people for, and sometimes even effect, change through this empire of good that we call our parliamentary system, our primary tool of democracy in Canada outside of the ballot box. It's awesome. It is an awesome place, and for those contemplating a life in Queen's Park, I highly recommend it.

So thank you to everybody who gave me this opportunity, to Susan, my family and my very best friends, who entertained the fantasy that a 33-year-old kid from Victoria, BC, could get elected in the majestic midtown riding of St. Paul's. Thanks to the slow trickle of volunteers—at the beginning that was basically my political campaign—the slow trickle of volunteers at the beginning of a political journey of, obviously, a complete unknown.

To those who were there at the beginning, I say thanks:

—to the lovely ladies at the Bradgate Arms who rolled out in their wheelchairs to come to a nomination meeting on a sunny September day and who rolled back into the ballot box to vote for—who knows?

—to the tenants in the riding—68% of the riding are renters—who defied the conventional wisdom that tenants don't vote. They got out and voted in 1999, and then again in 2003 and 2007.

—to those who opened their doors for me and our team of volunteers; those who engaged and participated; those who went out and voted, sometimes standing in line for more time than I could have imagined anyone would tolerate.

It's a marvel that anyone votes—when your name's on the ballot, you are amazed that 10 people show up, let alone tens of thousands. It's a miracle, really, to actually win.

I know that people who support politicians support the office and support the democracy more than the person—certainly that was the case in St. Paul's—but I was the beneficiary of that support. And to all of those supporters, especially the surprise arrivals who stuck around the campaigns day and night and laboured the tedious and inspiring work of running a riding association and campaign, I'm obviously very beholden for that support.



To my staff, who make me look good sometimes and save my bacon often; overworked and underpaid and underappreciated: You do the hard work of public service and political support. It is humbling and it is awe-inspiring. I've watched many of you grow into genius form, even as you patiently held my political hand, warts and all. I'm gobsmacked by your sacrifice, dedication and professionalism. Thank you.

To all of you who share this chamber, on all sides of the House: I have learned much. I have listened much. I have spoken much—much too much sometimes; sometimes a little too loud and brazen for some Upper Canadians. The best we can do here, I suppose, is to be ourselves and hope for the best. That's what I did, and I have no regrets.

Special thanks to my Liberal colleagues. This is a great family I get to be a part of, and I hope always to be useful, and good friends. You have supported me and hopefully we have supported each other in good deeds. I've earned a few wincos for my overexuberance, I understand, but I do pray that never did I harm our collective cause or the good deeds done.

To the Premier, my Liberal leader throughout my years here: I am unspeakably grateful for the opportunities that he gave me. Nothing with which I am associated would have happened without his support. We did a lot together. Without exception, my relationship with Dalton McGuinty was genteel and affable, and nothing if not productive.

Credit is due to many others, but I leave with the satisfaction of a few things done. Special thanks to Deputy Ministers Segal, Sterling, Amin and Howell, and especially Deputy Attorney General Segal.

My final words are to my family: to my mom, a multiple sclerosis conqueror extraordinaire, who taught me I could do anything that I wanted to do; and my dad, who taught me exactly how to do it; and to Susan for putting up with all this, for supporting me in all this, for sharing me with a lot of people and a lot of priorities. Thanks for letting me live this dream.

Finally, I want to wish all of you here the best. You'll be the best, I know. I'll soon enough enshroud myself with the excitement of the next chapter, but I will miss all of you terribly and always. Godspeed to all of you who work in this place and support the people in this place, in this noble chamber of best intentions. Thank you.

*Applause.*

**The Speaker (Hon. Steve Peters):** I just want to take this opportunity to thank the member from St. Paul's for his service to the Legislature, and we wish him and his family all the best in the future.

#### GORDON DEAN

**The Speaker (Hon. Steve Peters):** We will now turn to the leader of Her Majesty's loyal opposition for a tribute to former member Gordon Dean.

**Mr. Robert W. Runciman:** It's wonderful to see Gordon's wife, Mary, and his daughter, Charlotte, in the

members' gallery to join us on this special day in memory of Gordon and his service to the province of Ontario, to the country and to his community for so many years.

Gordon was a member of the infamous Gang of 22 in 1981—22 new members of the Progressive Conservative caucus who were elected in that Bill Davis majority government. I was one of them. It was quite a crew, when you look back and reflect on those times: people like Mike Harris, Ernie Eves, Andy Brandt, Susan Fish, Don Cousens, Gord Dean, Morley Kells—we could go on and on. It was a colourful, interesting and varied group of folks who made, I think, significant contributions to this place and the province over the years, and certainly Gordon was a prominent member of that gang.

#### 1600

When you think back about the fact that Gordon has not been a member since 1987—22 years—it's really a little bit scary, when you think about the way time flies. I know that only Norm Sterling, Jim Bradley and myself, who are in the chamber today, served with Gordon.

I remember him as a distinguished gentleman, and "gentleman" is the right word to describe Gordon: a tall, distinguished fellow. I don't think, Mary, even when he was first elected that he had a great deal of hair, but correct me if I'm wrong. But he was a gentleman and a scholarly guy as well, an intelligent guy, and respected in our caucus.

I have to say, reading some of the stories about Gordon written over the years—and I think it happens to many people who are elected to public office. Gordon was by nature a shy man, a shy person. There's an expectation on people who are elected to this office that you're going to be a backslapper and a hale fellow well met. I don't think that that would describe Gordon, but he was a hard worker, someone who represented the people he served extremely well. If you look at his career in municipal office, it's 20 years of service to the people of his area as the mayor of Stoney Creek.

I didn't realize, even when you're serving with colleagues, some of their background and experiences. I didn't realize that Gordon was a former president of the Association of Municipalities of Ontario. Perhaps a lot don't know, John, that you were as well. Some of our colleagues, in their backgrounds and experiences, have given significant and extensive service to people in this province. That was certainly the case with Gordon.

He was, as I said, first elected in 1981. I vividly recall the day I sat in the backbench with Ernie Eves on one side and René Piché and Don Cousens. I recall, two years into the Davis government, four members, four of the class of 1981, were promoted into cabinet. That was a pretty big thing. Four of the 22 had an opportunity to sit around the cabinet table: Susan Fish, Andy Brandt, Phil Andrewes and Gordon Dean, who were all promoted. Gordon went in as a minister without portfolio. Of course we were all envious, the rest of us who remained in the back row.

*Interjections.*



**Mr. Robert W. Runciman:** Some of you know how that feels. In any event, we were happy for our colleagues, and Gordon continued to serve the province well and had the opportunity to move up to the role of Provincial Secretary when another great guy, Bruce McCaffrey, left cabinet, and then with the Miller government had the opportunity for a full cabinet portfolio as Minister of Revenue.

Of course, as Jim and Norm recall—and a few others, I think, who were elected in 1985 will recall—the Miller government didn't last too long. It was my opportunity to go into cabinet as well back then. I think we were in office for five and a half months. I recall it was during the throne speech where, following the Liberal-NDP accord, we all knew that we were going to lose government because the throne speech was going to be defeated by the accord of the two parties. I read a story where Gordon had to come in, and what a difficult day that was, because we knew we were going to lose government, and he wanted Mary to come into the House to witness the vote, and she simply refused. This was not a happy day and she was not going to attend the Legislature for it, and I said to her earlier, "I don't blame you. If I couldn't have been there, I wouldn't have been there either." In any event, Gordon stayed with us until 1987.

He passed away at the age of 85, April 19 of last year. I've read a lot of the commentary with respect to Gordon's contributions to the province and the country. So many kind contributions, so many kind words about Gordon being an ardent Christian, someone said, who perhaps—and I don't know if this is accurate today, but at the time—"was the only MPP I ever met"—this gentleman who was commenting on it—"who used the Lord's name in some of his speeches."

The other thing we should mention about Gordon, of course, is that he was a farmer at heart. He always said his wife was more comfortable on the farm. He was probably more comfortable on the farm as well in terms of the responsibilities he had publicly, but he always went back to the farm. I also found out that he was a graduate of McMaster and had a Master of Science degree—a very accomplished individual indeed.

Upon his passing, I read one comment that really touched me, and I'd like to put it on the record in closing my comments. It was from Mary. Quoting you, Mary: "If I had a chance to say one more thing to him, I would say, 'I love you very much' .... I guess I would say, we've had a wonderful 58 years together and three wonderful girls ... I'll miss you for the rest of my life." Nothing can be more heartfelt than what you said that day, Mary. You have every right to be proud of Gordon, you and your family, and we thank you very much for his contribution to this place, to the province and to the country.

**Mr. Peter Tabuns:** It's a privilege and an honour to rise on behalf of the Ontario New Democrats today to pay tribute to Gordon Dean and to welcome the members of his family who are on both sides of the House today, here with us to celebrate the contributions of a man who believed in this community and this province.

I have to say that I did not know Gordon Dean personally, but through Charlotte Dean, his daughter, who told many warm stories about Gordon, I have a sense of the man, and I very much like the sense that I have. We may have had different political perspectives, but the central thing for anyone who is in this chamber is that when you come out and do what you can for the people of Ontario, you make personal sacrifices. It's as simple as that. My guess is that although a gentleman, as Bob Runciman said, Gordon was not a man who was retiring and who was shy in taking part in what happens in this chamber.

It's fitting that his family is here today as we pay tribute to his legacy. They're owed a debt of gratitude for the willingness to give of their family to this province in the years that Gordon served here in this Legislature. The sacrifices that families make are often unnoticed, but they are substantial, and we know that the foundation that our families give—that Gordon's family gave to his life—are critical to actually doing the things that we need to do here. So to Mary and all of the rest of the Dean family, a thank you for the role that you played in building a stronger Ontario. We're aware that Gordon's successes would have been diminished by the absence of your support. In fact I have to say, based on the stories that you, Charlotte, have told me, that his electoral successes would have been diminished without the support of the family. You were a campaign worker very early in your life, I gather, as was my son. It runs in our families, right?

As a proud resident and former mayor of Stoney Creek, Gordon's career was characterized by a commitment to his community. He understood the importance of public service. He knew it was an immense privilege and an even greater responsibility. He believed in the people and the potential of the communities he had the honour of serving. He demonstrated his commitment to them in this House and at the cabinet table.

For Gordon, retirement from political life did not mean retirement from public life. He spent time on the boards of St. Joseph's Healthcare and the Royal Botanical Gardens. He was a devoted family man and committed servant of the community. He never lost sight of the community and the people whom he came here to represent.

We celebrate his contributions to the people of Stoney Creek and to Ontario.

**Hon. James J. Bradley:** Whenever one of our former colleagues passes away, as Gordon Dean has, probably for those of us who have at least had the opportunity to serve with them, we try to conjure up the memories that we might have of those individuals. I know when I pick up a newspaper and see an obituary, or perhaps read an extended story about that person, I try to recall in my own mind what that person has contributed to the House. There are so many who have contributed immensely to this province, and Gordon Dean was one of them.

1610

Bob Runciman—I guess we can use our first names today—characterized Gordon very well. He was not one



of those hail-fellow-well-met, back-slapping type of politicians—not that there's anything wrong with those individuals, but he wasn't one of them. He was certainly a person who was very reserved in his way. But you could spot a brightness there, an intelligence there, a commitment in Gordon Dean, not only to his own constituents but to the province as a whole. I think Premiers recognized that. Premier Davis recognized that and Premier Miller recognized that as well. Remember that Gordon actually supported Mr. Timbrell in the leadership for the party, but that didn't mean anything to Mr. Miller, who was the Premier at the time. What was important was that Gordon Dean could contribute to the province of Ontario and would be an asset to the cabinet, and therefore he was selected by Premier Miller to serve in that cabinet.

I recall him as well as not being an ardent partisan. There's a lot of partisanship in this House, and some are more partisan than others, I am informed. But Gordon Dean, I would say, was not one of those who wore his political stripes, though he was loyal to the Progressive Conservative Party and maintained his activities within the party even after he decided not to run for the Legislature in 1987. He was nevertheless a person who could reach out to people in other political parties and was more interested in the issues than in scoring partisan points. I think that made him a person who was popular amongst his colleagues and, I'm sure, amongst his constituents.

Mention was made of his science degree from McMaster University, and I see as well—I wasn't aware of this at the time—that he had been involved with Atomic Energy of Canada, working at Chalk River. That has an interesting history along the way, as we see it in the news today, but all along it's had an interesting history. It's a clear indication that, again, Gordon could have done other things if he wanted to. He chose, instead, public service from the year 1981 to 1987.

What was interesting as well was that in 1985—I remember we used to kid him a bit as being “Landslide Gordon” because he won by just a few hundred votes when he was there, just as we used to talk about “Landslide Ernie”—Ernie Eves, who won by six votes in his riding.

But what happened in 1985, and this is probably a good judgment of a person with his constituents, when the tide was going the opposite way, because in 1981 it was going toward the Conservative Party: They went from minority status to majority status on March 19, 1981. But in 1985, when things weren't going quite so well for the governing party at that time, Gordon Dean actually increased his plurality amongst his constituents. That's a clear indication that they were very pleased with what he had done for them and the contribution he was making to the province.

Many people, as, again, Bob Runciman made reference to, start out at the municipal level of government, or as we now call it, order of government. Gordon was very committed to that order of government as well. I think he

reflected that in the Legislature, having been a mayor and having held other positions in municipal government; as well, assuming—as mention has been made, my colleague John Gerretsen was the president of the Association of Municipalities of Ontario. You don't rise to that position easily, and Gordon obviously had the support and respect of many municipal politicians in the province of Ontario to place him in that position. So he made that contribution at that time as well.

He also had the opportunity to be a critic in opposition. That's not always an easy job to be a critic, but he certainly indicated that he was prepared to take that on after his government was no longer in power.

One as well is that he returned to the land, back to being a farmer. So often the trend is in the opposite direction, isn't it? People go from the rural area, from farming, to something else. Sometimes people say, “Well, they've advanced to something else.” I think he advanced when he went back to the farm. Farming and agriculture are very important to this province. When you have a person of Gordon's quality prepared to go back to it, that's important as well.

The member for Toronto—Danforth made reference to the fact, as is the case with so many former members of the Legislature, that when he stopped being a member of the Legislature, he didn't stop serving publicly, and that the two institutions to which reference was made, St. Joseph's and the—

**Mr. Peter Tabuns:** Botanical gardens.

**Hon. James J. Bradley:** Yes, the lovely gardens in Hamilton and the surrounding district—very, very important to the people of that area. The Royal Botanical Gardens are something to behold, and Gordon's interest in that was great as well.

I noted as well, in one of the little comments I saw about him, that he was a great fan of poetry. It's interesting: Some members of the Legislature have recited poetry. There used to be a member of the NDP, a Toronto member, Mr. Brewin, who used get up and recite some poetry that was very good. There was also Dalton McGuinty's father, Dalton Sr., who used to recite poetry. Ogden Nash, a famous poet, was a favourite of Gordon Dean's.

A straight and fair approach—people would say that was exactly what he had; a devoted family person, a family man.

A couple of things he did here—if you look at the Legislature today and some of the issues, some members came ahead of the rest of us on these issues. I'm just going to mention a couple. He was paying tribute to a women's hockey team. At one time, that was just a side-show. A women's hockey game was not something that people looked at very seriously. They were wrong then, and today we see that. Women's hockey is extremely important. I remember Gordon making a tribute to them.

He had a question to the Premier about the Red Hill Creek Expressway and when it was going to get built. That was, it says here, in January 1987, and the Premier gave one of those answers that Premier Robarts was per-



haps known for, something like “in the fullness of time,” or some vague answer that I’m told government members give from time to time to very succinct questions by opposition members. He would have been delighted when he saw the progress being made and now the number of people who use the Red Hill Valley Parkway, as they call it now, as a way to get around Hamilton. He was one who was for that.

The other was dealing with impaired driving—the RIDE program. He was even in favour of raising the minimum drinking age to 21. Well, that didn’t happen, but the rule has come into effect, or will be coming into effect, that a person 21 and under will not be able to have any blood alcohol when driving.

So Gordon Dean was ahead on many issues. He was a decent man. We thank his family for sharing him with the province of Ontario and specifically with the constituents in Wentworth—I think the riding was called Wentworth East at that time. Ontario is a better place because of Gordon Dean, and we’re all deeply grateful to him, as he has passed on, and to his family for sharing him with us.

**The Speaker (Hon. Steve Peters):** I’d ask all members and our guests to please rise as we observe a moment of silence in tribute to the contributions made to this province and to this Legislature by Gordon Dean.

*The House observed a moment’s silence.*

**The Speaker (Hon. Steve Peters):** I will see that a copy of the Hansard and the DVD of the proceedings from today are sent to you, Mrs. Dean.

## PETITIONS

### TAXATION

**Mr. Bill Murdoch:** I have a petition to the Legislative Assembly, which I included last week. I mentioned I had about 3,700—now it’s up to 5,000 signatures.

“Whereas the residents of Bruce–Grey–Owen Sound do not want a provincial harmonized sales tax that will raise the cost of goods and services they use every day; and

“Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

“Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government not increase taxes for Ontario consumers.”

I’ve signed this and will give it to Kathleen.

## CEMETERIES

**Mr. Jim Brownell:** I have a petition to the Legislative Assembly of Ontario:

“Whereas protecting and preserving Ontario’s cemeteries is a shared responsibility and the foundation of a civilized society; and

“Whereas failure to safeguard one of our last remaining authentic original heritage resources, Ontario’s inactive cemeteries, would be disastrous for the continuity of the historical record and our collective culture in this province;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario.”

As I agree with this, I shall sign it and send it to the clerks’ table.

## WIND TURBINES

**Mr. John O’Toole:** It’s a pleasure to present a petition on behalf of Edward Judd, Michel Lesway, Ron Grisbrook, Wayne Dunbar, Dr. Bill Cohoon, Julie Hutcheon, Glenda Hutcheon, Albert Hutcheon and Donna Herold. It reads as follows:

“Whereas the village of Seagrave is a quiet residential community of retirees and people still in the workforce, but preferring a country lifestyle; and

“Whereas much of the village of Seagrave lies within a half-mile distance of a proposed wind farm site; and

“Whereas we consider the plans to place a wind farm adjacent to a quiet rural community to be appalling, and we are absolutely opposed to the planning and construction of this development at the corner of Saintfield Road and Simcoe Street in Seagrave; and

“Whereas the adverse impacts of wind farms are well documented;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to place a moratorium on the building of this wind farm in the village of Seagrave until there has been a thorough investigation into the impacts of wind farms on residential and urban communities.”

I am pleased to sign and support this because it’s the right thing to do.

## HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition from a group of people here in western Mississauga, and I specifically want to thank Elaine Grochot and Tammy Ramnarace for having collected the signatures and sending the petition in. It reads as follows:

“Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project

activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and support this petition and ask page Carlyn to carry it for me.

#### TAXATION

**Mr. John Yakabuski:** I would like to thank the good folks at Kohlsmith Crane Rental for sending me this petition.

"To the Legislative Assembly of Ontario:

"Whereas residents in Renfrew-Nipissing-Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline, for their hydro, cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I am pleased to sign this in support of this petition and send it down with Kevin.

#### PERSONAL SUPPORT WORKERS

**Mr. Paul Miller:** To the Legislative Assembly of Ontario:

"Whereas all health care aides and personal support workers should be regulated, organized and accountable;

"That there be stricter screening of personal support workers before enrolment in courses;

"That all schools are providing proper education and training of personal support workers; we need more quality, not just quantity;

"That the practice of handing out personal support worker certificates to keep Canada's unemployment rate down cease;

"That a much-needed support group, to help health care aides and personal support workers deal with the many issues that face them every day, be established;

"That a stronger network be built with employers, registered staff and the public so we can enhance the lives of our seniors, eliminate senior abuse and improve working conditions for front-line workers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"PSW Canada (2007) and Friends call on the government to bring forth changes in the lives of the residents of nursing homes, retirement homes and home care. The government must recognize personal support workers are a very important part of the nursing team; only then can government truly say they care for our most vulnerable in our society."

I agree with this and attach my name to it.

#### EMPLOYMENT INSURANCE

**Mr. Mike Colle:** I have a petition to the Legislative Assembly of Ontario:

"Whereas the federal government's employment insurance surplus now stands" at over \$50 billion; and

"Whereas over 75% of Ontario's unemployed workers are not eligible for employment insurance because of Ottawa's unfair eligibility rules; and

"Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers; and

"Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces, thus not qualifying for many" of the federal retraining programs because they're not eligible for EI;

"We, the undersigned," join in solidarity to "petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and to end the discrimination and unfairness towards Ontario's unemployed workers."

I'm in solidarity with the unemployed workers, and I affix my name to the petition.

#### SCHOOL TRANSPORTATION

**Mr. Ted Arnott:** This petition is in opposition to the RFP process in the school transportation industry, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the RFP process is causing hardship to small school bus operators and their employees throughout Ontario;



"Whereas the RFP process has awarded school bus runs throughout Ontario to multinational school bus operators;

"Whereas the Ministry of Education is using local property taxes to aid in the growth of multinational-owned school transportation companies which in turn affects small local family-owned school transportation companies;

"We, the undersigned, petition the Legislative Assembly of Ontario to discontinue the RFP process in the school transportation industry."

It's signed by hundreds of my constituents in Wellington-Halton Hills as well as many constituents in the riding of Perth-Wellington. I've affixed my signature to it, and I support it as well.

### CEMETERIES

**Mr. Jim Brownell:** I have a petition to the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

As I agree with this petition, I shall sign it and send it to the clerks' table.

1630

### MUNICIPAL GOVERNMENT

**Mrs. Julia Munro:** "To the Legislative Assembly of Ontario:

"I, the undersigned, wish to voice my concern with the approach taken by the city of Barrie, as supported by MPP Aileen Carroll, to encourage the government of Ontario to move forward with imposing a unilateral imposition of a boundary change on the town of Innisfil. This move would allow unprecedented expansion of the population of the city of Barrie to the detriment of every other taxpayer in the county of Simcoe.

"A locally negotiated solution that fairly distributes population and employment growth ensures everyone wins."

### SOCIAL SERVICES FUNDING

**Mr. Bob Delaney:** I have a petition that's been sent to me from two people affiliated with Catholic Family Services of Peel-Dufferin and Brampton. I'd like to thank Lyne Eaves and Rosemarie Rebelo for having collected these signatures. It's addressed to the Ontario Legislative Assembly. It reads as follows:

"Whereas the population in Peel has tripled from 400,000 residents to 1.2 million between 1980 to present. Human services funding has not kept pace with that growth. Peel receives only one third the per capita social service funding of other Ontario communities; and

"Whereas residents of Peel cannot obtain social services in a timely fashion. Long waiting lists exist for many Peel region service providers. The child poverty level in Peel has grown from 14% to 20% between 2001 and 2006, and youth violence is rising; and

"Whereas Ontario's Places to Grow legislation predicts substantial future growth, further challenging our already stretched service providers to respond to population growth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario allocate social services funding on the basis of population size, population growth, relevant social indicators and special geographic conditions;

"That the province provide adequate growth funding for social services in Peel region; and

"That Ontario develop, in consultation with high-growth stakeholders, a human services strategy for high-growth regions to complement Ontario's award-winning Places to Grow strategy."

I agree with this petition, I am pleased to affix my signature and to ask page Jacob to carry it—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you.

### HOSPITAL FUNDING

**Mr. Gerry Martiniuk:** I have a petition.

"Whereas Cambridge Memorial Hospital and other hospitals in the Waterloo region are experiencing substantial increased demands due to population growth; and

"Whereas the McGuinty government's freeze on new long-term-care facilities has resulted in additional long-term-care patients in our hospitals; and

"Whereas the McGuinty government's cuts to hospital funding have resulted in a dangerous environment for patients and staff in Cambridge and across Ontario; and

"Whereas the approved new expansion of the hospital has been delayed by the McGuinty government and this has contributed to the funding shortfall;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"(1) That the McGuinty government meet its obligations to introduce a population-needs-based funding formula for hospitals as has been done in other Canadian provinces;

"(2) That the McGuinty government proceed immediately with the approved new expansion of Cambridge Memorial Hospital."

I agree.

### PROTECTION FOR WORKERS

**Mr. Mike Colle:** I petition to the Legislative Assembly of Ontario:



"Whereas a number of caregiver recruitment agencies have been exploiting vulnerable foreign workers; and

"Whereas caregivers are subject to illegal fees and abuse at the hands of some of these unscrupulous recruiters; and

"Whereas the federal government in Ottawa has failed to protect these caregivers from these abuses; and....

"Whereas a great number of foreign caregivers and caregiver workers perform outstanding duties on a daily basis in their work, with limited protection;

"We, the undersigned, support the Caregiver and Foreign Worker Recruitment and Protection Act, 2009, and urge its speedy passage into law."

I support this petition and I affix my name to it.

### TAXATION

**Mrs. Joyce Savoline:** "To the Legislative Assembly of Ontario:

"Whereas residents in Burlington do not want the McGuinty 13% sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I agree and support this petition, and I will sign it and give it to page Ajoy.

**The Deputy Speaker (Mr. Bruce Crozier):** The time provided for petitions has expired.

### ORDERS OF THE DAY

#### ONTARIO COLLEGE OF TRADES AND APPRENTICESHIP ACT, 2009

#### LOI DE 2009 SUR L'ORDRE DES MÉTIERS DE L'ONTARIO ET L'APPRENTISSAGE

Resuming the debate adjourned on June 2, 2009, on the motion for second reading of Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades / Projet de loi 183, Loi visant à réviser et à moderniser le droit relatif à la formation en

apprentissage et aux qualifications professionnelles et à créer l'Ordre des métiers de l'Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mrs. Joyce Savoline:** I'm pleased to respond to the Minister of Training, Colleges and Universities concerning the introduction of the college of trades.

Self-regulation is a plan that has demonstrated itself to be a useful way of standardizing rules in many fields, from architects to accountants, chiropractors to dietitians, and lawyers to midwives. But there is a backstory to this new government scheme that we all should be cautious of, because the introduction of the college of trades raises some very serious questions about the intent of this government.

I don't need to tell anyone in this House, save for the Liberals, maybe, about the potential dangers of a self-regulating organization, like the college of trades, that has been stacked with special interests.

Self-regulation in the public interest is meant to define qualifications as well as the ongoing obligations to ensure continuing competence, high quality and public protection. But red flags should go up when you look at what this government did with the college of teachers after they were first elected. They took the proven idea of self-regulation, which has been used successfully in many fields, and perverted it for their political ends. The college of teachers is now a union-led tool for promoting union interests, regardless of the impact on teachers, students or taxpayers.

I think that we can all look at the McGuinty record and confidently predict that he will do the exact same thing with the college of trades, and there's evidence to suggest this. The college of trades will be tasked with setting Ontario's apprenticeship ratios. In an effort to maintain Ontario's artificially high apprentice-to-journeyman ratios, the minister used provincial advisory committees, groups that he appointed under the Trades Qualification and Apprenticeship Act, to justify his unreasonably high ratios.

As has been said in this House before by my colleague from Simcoe-Grey, the minister stacked those committees with his buddies, who have a vested interest in keeping those ratios high without consideration for the broader public interest. Take the boilermakers' PAC: It is heavily stacked with representatives from the boilermakers' union, Local 128, with only token business interests. The same with the drywallers, and the acoustic and lathing applicator PAC. This is stacked with members of the United Brotherhood of Carpenters, another union which does not want to change the apprenticeship ratios.

So we can only assume that the government will use the college of trades just like they used their PACs and the way they have used the college of teachers, and pervert this for their own political ends by handing control over to the industry, to special interests, instead of the government protecting the public interest.

Let there be no mistake about it: The driving force behind this legislation comes from people like Pat Dillon



and the members of the Working Families Coalition, who are intimate friends of this government and who have worked with the Liberals to carefully craft rules and programs to exclude anyone who is not part of their club, because to them, it's not about fairness and it's not about safety for working people; it's about whether or not you play ball with the government and their friends. If you do, the sky's the limit; if you don't, welcome to the brick wall.

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And that's not all. Today, some groups are even challenging the legitimacy of the introduction of this legislation. The Open Shop Contractors Association of Ontario has been calling for months now for the resignation of Kevin Whitaker, the minister's implementation advisor for this legislation, because as their president, Dave McDonald, says, "In the view of the layman," Mr. Whitaker is "a virtual employee of the (building) trades." I understand that they have filed a complaint with the conflict of interest commissioner, and I note that the Ontario Electrical League backs them up on this matter.

In an article from the Daily Commercial News, Mr. McDonald even questions the need for this new body. He says, "It was pointless to create a new bureaucracy paid for by the industry, through fees, to look into increasing compulsory trades when there is no rational need." The article goes on to say, "Some industry stakeholders, including" the Open Shop Contractors, "have said they think the college is a way for the" government "to reward its political allies in the building trades."

The legitimacy of this process is definitely being questioned, and for all of these reasons, we will review this legislation cautiously.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Reza Moridi:** It's a pleasure to rise in this House and contribute to the discussion and conversation on Bill 183. I thank the member from Burlington for her remarks on this bill.

The member pointed out a couple of points. One of them is about the board of governors of this proposed college of trades. The members of the board of governors are drawn from employees and employers in equal numbers; plus, five members are coming from the lay community. So it's a balanced board. It is appointed by an independent council, so I would like to bring the member's attention to the very fact that this board is going to be an independent board. It's not a union board, it's not an employer board; it's an independent board. The employees and the employers are equally represented on this board, plus five members are going to be drawn from the lay community.

On the question of ratios, there have been quite a number of discussions in this House about that. We know that there are maybe some concerns about these ratios, but it says in the proposed act that technical people, the review panels, are going to look into this notion of ratios, and they are the people who should decide. It's not for us, for politicians, to decide on these ratios or the number

of journeypersons to apprentices. This is a technical matter, and the proposed bill leaves this to technical people to tackle this issue.

Currently, for example, in one particular trade, the number of ratios—for example, the electrical profession or trade. For smaller firms, actually, the number is one to one, and when the firm becomes larger, of course, the ratio goes up. But this is, again, something which is under review in this proposed bill—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments?

**Mr. Gerry Martiniuk:** I'd just like to take this opportunity to thank the member for Burlington for her speech regarding this bill. As usual, it was well thought out and I thank her for that.

I wanted to speak at length, for 20 minutes. However, by unanimous consent of the whip and the assistant whip, they have stifled me and censored me for the day, so having said all that, I will sit down.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? Questions and comments—

*Interjection.*

**The Deputy Speaker (Mr. Bruce Crozier):** No, only one time.

The member from Burlington, you have two minutes to respond.

**Mrs. Joyce Savoline:** I want to thank the member from Richmond Hill and the member from Cambridge for their comments.

I just want to do a little bit of math here. Given that an average fee for these types of colleges is about \$100 and that the potential membership in this college would be about 600,000 tradespeople across this province, that's about a \$60-million annual budget. With that budget comes absolutely no guarantee that this will improve opportunities for our young folks who have an interest in a trade. We need to have some clarity on this, and there isn't any.

From what we see in this bill, nothing will change with the apprenticeship ratios. Certainly, you can change apprenticeship ratios without a college; you don't need a college to do that. So why are we structuring this college and another layer of bureaucracy, and on we go? We need to assure the Ontario public that there's going to be some accountability and some transparency in what happens here, and right now we have absolutely no assurance of that.

Who exactly is going to be on the board? There's no clarity about that either, and absolutely no clarity on how all of this is going to play out. It's very vague. I don't want us to get into the position we now find ourselves in in question period with eHealth, where there's lack of transparency, no accountability, nobody seems to be in charge, and yet there's millions of dollars rolling around and no one has anything to show for it. I hope this isn't another one of those scenarios.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak?

Mr. Milloy has moved second reading of Bill 183. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Shall the bill be ordered for third reading?

**Hon. Brad Duguid:** I'd ask that the bill be referred to the Standing Committee on Justice Policy.

**The Deputy Speaker (Mr. Bruce Crozier):** So ordered.

Orders of the day.

#### HOUSE SITTINGS

**Hon. Brad Duguid:** I believe we have unanimous consent to put forward a motion without notice regarding the House schedule.

**The Deputy Speaker (Mr. Bruce Crozier):** Is there consent? Agreed.

**Hon. Brad Duguid:** I move that, notwithstanding standing order 8(a), when the House adjourns on Wednesday, June 3, 2009, it shall be adjourned until 9:45 a.m. on Thursday, June 4, 2009, at which time the Speaker shall read the prayers and call orders of the day.

**The Deputy Speaker (Mr. Bruce Crozier):** Does everyone understand the motion? Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

**Hon. Brad Duguid:** I'm pleased to move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

This House, then, is adjourned until 9:45 a.m. Thursday, June 4, 2009.

*The House adjourned at 1648.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
Brotten, Laurel C. (LIB)	Etobicoke–Lakeshore	
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Bryant, Michael (LIB)	St. Paul's	
<b>Cansfield, Hon. / L'hon. Donna H. (LIB)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
<b>Crozier, Bruce (LIB)</b>	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
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Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
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<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances Minister of Revenue / Ministre du Revenu
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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Flynn, Kevin Daniel (LIB)	Oakville	
<b>Fonseca, Hon. / L'hon. Peter (LIB)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
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<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Minister of Economic Development / Ministre du Développement économique Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
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<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
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Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of International Trade and Investment / Ministre du Commerce international et de l'Investissement
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Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader, Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Small Business and Consumer Services / Ministre des Petites Entreprises et des Services aux consommateurs
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
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Bas Balkissoon, Christine Elliott  
Kevin Daniel Flynn, France Gélinas  
Helena Jaczek, Sylvia Jones  
Jeff Leal, Liz Sandals  
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Committee Clerk / Greffière: Susan Sourial









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Government  
Publications



No. 159

N° 159

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 4 June 2009

Jeudi 4 juin 2009

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2

Telephone 416-325-7400; fax 416-325-7430

Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2

Téléphone, 416-325-7400; télécopieur, 416-325-7430

Publié par l'Assemblée législative de l'Ontario

# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 4 June 2009

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 4 juin 2009

*The House met at 0945.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the aboriginal prayer.

*Prayers.*

## ORDERS OF THE DAY

### ORDER OF BUSINESS

**Hon. Monique M. Smith:** Mr. Speaker, I believe we have unanimous consent to put forward a motion without notice regarding private bills and the motions for second and third reading.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Monique M. Smith:** I move that the orders for second and third reading of the following private bills shall be called consecutively and the questions on the motions for second and third reading of the bills put immediately without debate: Bill Pr16, An Act to revive Deep River Management Services Inc.; Bill Pr21, An Act to revive 1173931 Ontario Limited; Bill Pr23, An Act to revive Welechenko Transport Ltd.; Bill Pr24, An Act to revive a corporation named New Hermes Limited in English and New Hermes Limitée in French; Bill Pr26, An Act respecting The Sisters of St. Joseph of the Diocese of London, in Ontario; and

That Mr. Ramal may move the motions for second and third reading of Bill Pr21 on behalf of Mr. Rinaldi; and

That Mr. Norm Miller may move the motions for second and third reading of Bill Pr16 on behalf of Mr. Yakabuski; and

That Mr. Norm Miller may move the motions for second and third reading of Bill Pr23 on behalf of Mr. Murdoch.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

### DEEP RIVER MANAGEMENT SERVICES INC. ACT, 2009

Mr. Norm Miller, on behalf of Mr. Yakabuski, moved third reading of the following bill:

Bill Pr16, An Act to revive Deep River Management Services Inc.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

0950

### DEEP RIVER MANAGEMENT SERVICES INC. ACT, 2009

Mr. Norm Miller, on behalf of Mr. Yakabuski, moved third reading of the following bill:

Bill Pr16, An Act to revive Deep River Management Services Inc.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

*Third reading agreed to.*

### 1173931 ONTARIO LIMITED ACT, 2009

Mr. Ramal, on behalf of Mr. Rinaldi, moved second reading of the following bill:

Bill Pr21, An Act to revive 1173931 Ontario Limited.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

### 1173931 ONTARIO LIMITED ACT, 2009

Mr. Ramal, on behalf of Mr. Rinaldi, moved third reading of the following bill:

Bill Pr21, An Act to revive 1173931 Ontario Limited.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

*Third reading agreed to.*

### WELECHENKO TRANSPORT LTD. ACT, 2009

Mr. Norm Miller, on behalf of Mr. Murdoch, moved second reading of the following bill:

Bill Pr23, An Act to revive Welechenko Transport Ltd.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

### WELECHENKO TRANSPORT LTD. ACT, 2009

Mr. Norm Miller, on behalf of Mr. Murdoch, moved third reading of the following bill:

Bill Pr23, An Act to revive Welechenko Transport Ltd.



**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

*Third reading agreed to.*

#### NEW HERMES LIMITED/NEW HERMES LIMITÉE ACT, 2009

Mrs. Mangat moved second reading of the following bill:

Bill Pr24, An Act to revive a corporation named New Hermes Limited in English and New Hermes Limitée in French.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

#### NEW HERMES LIMITED/NEW HERMES LIMITÉE ACT, 2009

Mrs. Mangat moved third reading of the following bill:

Bill Pr24, An Act to revive a corporation named New Hermes Limited in English and New Hermes Limitée in French.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

*Third reading agreed to.*

#### SISTERS OF ST. JOSEPH OF THE DIOCESE OF LONDON, IN ONTARIO ACT (TAX RELIEF), 2009

Mr. Ramal moved second reading of the following bill:

Bill Pr26, An Act respecting The Sisters of St. Joseph of the Diocese of London, in Ontario.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

#### SISTERS OF ST. JOSEPH OF THE DIOCESE OF LONDON, IN ONTARIO ACT (TAX RELIEF), 2009

Mr. Ramal moved third reading of the following bill:

Bill Pr26, An Act respecting The Sisters of St. Joseph of the Diocese of London, in Ontario.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved the bill do now pass and be entitled as in the motion.

*Third reading agreed to.*

**The Speaker (Hon. Steve Peters):** Orders of the day.

**Hon. Monique M. Smith:** We have no further business this morning, Mr. Speaker.

**The Speaker (Hon. Steve Peters):** This House stands recessed until 10:30 this morning.

*The House recessed from 0954 to 1030.*

#### INTRODUCTION OF VISITORS

**Hon. John Wilkinson:** Good morning. I'm pleased to introduce Jesse Beatson, who is from my riding and serving as a legislative intern in my office.

**Mr. Wayne Arthurs:** I want to introduce the mother of page Ajoy Paul, Sheena Paul, and his brother Aaron Paul from my riding. Please welcome them to the Legislature.

**Ms. Lisa MacLeod:** It's an honour to be able to introduce two of my great employees from the great riding of Nepean—Carleton. Kayla Fernet and Alicia Noonan work in my constituency office, and like all constituency assistants, they are the lifeblood of our organization. I want to welcome them to Queen's Park today.

**Hon. Jim Watson:** I'm pleased to introduce—I believe they were here earlier—members of the grade 8 travel club from Lakewood School, who are visiting Queen's Park from Kenora. They're joined by teachers from Lakewood: Terry Shaw, Marty Laffin, Jennifer Gray and Irene McCuaig.

Also, the two hardest-working summer interns in a minister's office, Aaron GlynWilliams and Nicholas Gallant from Municipal Affairs and Housing: Welcome.

**Mrs. Julia Munro:** I would like to ask all members to welcome the students from Goodfellow Public School in Innisfil, joining us here this morning.

**The Speaker (Hon. Steve Peters):** I would like to take this opportunity to welcome two guests of the Clerk who are seated in the west members' gallery, Mary Polisk and David Love. Welcome to Queen's Park today.

#### LEGISLATIVE USHERS

**The Speaker (Hon. Steve Peters):** I also want to take this opportunity to thank our ushers, who are students here in Toronto, for the work they've done during this session. Some of them will be returning next fall; some of them will be returning to other studies: Osman Akthar, Shae Frosst, Claire Glossop, Shiva Logarajah, William Ng, Michael O'Shaughnessy, Jordan Paolucci, Janette Piasecki, Jenni Simon, Jenna Smith, Kalin Stacey, Harlan Tufford, Nick Turner, Maria Chung and William Wong.

Best of luck to the student ushers.

*Applause.*

#### LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** This being, hopefully, the last question period of this session, I'd like to ask all members to join me and thank our wonderful group of pages. We, too, wish them all the best.

*Applause.*

**Mr. Peter Kormos:** On a point of order, Speaker: This tremendous group of pages has been horribly short-changed. New Democrats are prepared to sit next week for four more precious days; all we need is the co-operation from the government to that effect.

**The Speaker (Hon. Steve Peters):** The member from Welland is seeking unanimous consent for the House to sit next week. Agreed? I think I heard one no; lots of yeses.

#### LEADER OF THE OPPOSITION

**Mrs. Elizabeth Witmer:** On a point of order, Mr. Speaker: I would like to today acknowledge the fact that this is going to be the last day for Bob Runciman as the leader of the official opposition. Today's question period will be his last, although he will be continuing as our esteemed and valued leader until the end of the month, when we choose a new leader. Despite the fact that Bob might think he's spelling his name to all callers, I can tell you that Bob is held in high esteem not only in this House but throughout the province of Ontario.

Bob has twice had the opportunity to be unanimously elected as our leader since 2004, and although Mad Dog may not have been around from one of the earliest documented references to that nickname in the 16th century, I can tell you that since his election in 1981, he has been madly steadfast and unswerving in his dedication, not only to the people in eastern Ontario, but to all the people in the province. As our leader in the Legislature, he has served our caucus admirably as a very steady, enthusiastic and passionate advocate for people in this province.

Bob, you have certainly earned the respect of everyone in this House. You have served all Ontarians with distinction, and you have been an honest and very capable leader during a time of great need for our province, when getting to the heart of the issues was most critical as Ontarians today continue to struggle through particularly challenging economic times.

I hope that all members in this House would join me in congratulating our leader, Bob, for a job extremely well done. He is an individual who, I can personally attest, comes into this House every day to do the very best he can for every Ontarian.

Congratulations, Bob.

**The Speaker (Hon. Steve Peters):** The leader of the third party on the same point of order.

**Ms. Andrea Horwath:** I'm very pleased to rise to pay tribute to the interim leader of the official opposition on behalf of the New Democratic caucus here in the Legislature.

Mr. Runciman is one of the longest serving members of this House, and by the time of the next general election, he will have been here for more than three decades. His record of service to his party and to the people of Ontario is as impressive as that of any member who has ever had the privilege of holding a seat here at Queen's Park.

Mr. Runciman has held cabinet portfolios under three different Premiers, he has chaired parliamentary commit-

tees, and he has been his party's whip and House leader. Simply put, Mr. Runciman has performed just about every role there is to perform in this place, and he has always done so with great diligence and eloquence.

Just a couple of weeks ago, I spent some time in his riding, and one thing was very, very clear: The people of Leeds-Grenville have a tremendous amount of respect and admiration for their MPP, as well they should.

While Mr. Runciman and I may have different ideological perspectives, I know that we both agree that serving our constituents is the most important thing we do. As he steps away from the leadership of the official opposition, I know that he will continue to serve his constituents very well and, on occasion, hold the government's feet to the fire in the way that only he can.

**The Speaker (Hon. Steve Peters):** The Premier on the same point of order.

*Interjection.*

**Hon. Dalton McGuinty:** There will be no hugs from me; I want to make that clear at the outset. But I rise to give expression to the wonderful sentiments that I think we all sense today.

A predecessor of mine, David Peterson, used to say that the toughest job in the world is to be the leader of an opposition party. I think he was wrong. I think the toughest job of them all has been interim leader of an opposition party—and to grapple with the fomenting changes inside your caucus as various personalities seek to assert themselves, and to garner support and to maintain some sense of order and to assume that high responsibility on behalf of Ontarians.

1040

I want to thank Bob Runciman, MPP, minister, interim Leader of the Opposition, husband, proud father, for all that he has brought to his responsibilities over so many years. He has been dogged; he has been determined; he has been faithful to his principles at all times. I'm not sure there's anything more we might ask of anybody who is privileged to hold public office.

I also hope that, given these warm and wonderful sentiments that we are now expressing, he will adjust his coming questions accordingly.

*Laughter.*

**Hon. Dalton McGuinty:** If we need a recess for a few moments so that he might rephrase some of those, we will be there.

It is my personal theory of people that while we have more than amply demonstrated over the millennia that we can be selfish and shallow and short-sighted, and at our worst, mean-spirited, at our very best, there's something noble about people and something that takes us beyond our desire for flat-screened TVs and fast cars and big homes and vacation getaways. We want to do something of lasting value, something that endures. We want to do something good for others. My wish for Bob Runciman is that when he's alone with his thoughts and the house is quiet and his head is on the pillow, he enjoys that wonderful sense of satisfaction that comes from knowing he's



made a powerful, lasting and positive difference for so many others. Thank you, Bob.

**The Speaker (Hon. Steve Peters):** The leader of Her Majesty's loyal opposition on the same point of order.

**Mr. Robert W. Runciman:** This is a complete surprise to me, I have to say. It is going to be difficult to go into question period after this, but I'll do my job.

I want to thank all the members for their expression of appreciation for my contributions over the past couple of years as leader of the official opposition. It's been an enormous honour for me and for my family and the people who have supported me over so many years as their MPP. I know we're all feeling proud to be in this place and to represent our constituents. Certainly having this opportunity, not only as Leader of the Opposition, but to be interim leader of the Progressive Conservative Party as well for the past three and a half months, has been an enormous honour.

Norm just said it sounds like a eulogy, but I think Norm's eulogy will come ahead of mine.

*Laughter.*

**Mr. Robert W. Runciman:** In any event, I want to thank Andrea, who has been most gracious in her new role as leader of the NDP. She did visit my riding and she's a warm and wonderful person.

I have to say, with respect to the Premier, that one of the things about what's happening here today is an indication of the fact that we all have our roles and responsibilities in this place. In opposition, as the Premier knows as well as anyone, we have a very important job to do in terms of holding the government accountable for their actions or lack of actions, whatever the issue might be. We have to do that job, and sometimes it's not easy because, as we have witnessed here today, we can be friends. It's sometimes a little difficult to be friends, given the nature of the debates or the questions, but at the end of the day we are friends.

With respect to the Premier and me, we have been friends for many, many years. I worked with his dad, and we served on committees together when he was just a rookie. I don't want this to show up in election brochures, but I remember when Dalton was running for the leadership of the Liberal Party and was pretty much an underdog. I met him in the hallway at the east door one night, and I said, "You know, if I were a Liberal"—God forbid—"I'd be supporting you, Dalton." And that's the way I felt.

*Interjection.*

**Mr. Robert W. Runciman:** No, I didn't say that to anyone else.

I think it's an indication that, despite the fact that we have to take decisions based on principle and what we believe in and in terms of the roles we play in this place, we can still care about each other at the end of the day. I think that's important for all Ontarians to know.

**The Speaker (Hon. Steve Peters):** I too, on behalf of the table and the Legislative Assembly of Ontario, would like to thank Bob Runciman for his work as Her Majesty's loyal opposition leader.

And I didn't call the member from Kitchener-Waterloo to order on it, but I have been reviewing unparliamentary language and rulings that previous Speakers have made, and a previous Speaker actually ruled that "Mad Dog" is unparliamentary.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Best of luck to you.

## USE OF QUESTION PERIOD

**The Speaker (Hon. Steve Peters):** Yesterday, the member for Welland, Mr. Kormos, raised a point of order with respect to the use of question period and specifically with respect to a question asked by the member from Huron-Bruce, Ms. Mitchell. The government House leader, Ms. Smith, also spoke to this point of order.

As the member suggested in his comments yesterday, Speakers have traditionally allowed a fair amount of leeway in allowing questions to be put. In this, I am no different than my predecessors. I have taken the view that members should be given the greatest freedom possible in the putting of questions. Like a hockey referee at play-off time, I am always mindful not to be overly intrusive, and as much as possible, to let the game play on.

The member made reference to standing order 37(a), which refers to the necessity of questions being of urgent public importance. This particular reference has caused some difficulty for almost all occupants of this chair. Like them, I am reluctant to sit in judgment as to what is or is not a question of urgent public importance. I would refer members to a Warner ruling from June 3, 1992, Journals pages 101 to 110, for a fuller explanation of why this is so.

It is a subjective question, and as demonstrated yesterday by the response to this point of order by the government House leader, there are differing opinions on what is considered to be either urgent or of public importance. One member's pothole is another member's crater.

Having said that, there are certain principles governing the form and content of questions, and it would greatly improve the decorum and public perception of this place if they were more closely observed. To begin with, while there may be other motives, the primary purpose for asking a question is to extract information from the government and to call it to account. Specific to this point of order, questions should not be hypothetical nor should they seek merely to elicit an opinion from a minister of the crown. In particular, this principle would prohibit a question that simply offers the minister to whom it is addressed an opportunity to cast an opinion on a comment made outside of this House by another member or members. This kind of question is especially troublesome if it is intended as a meandering attack on a honourable colleague.

In my view, the initial question by the member for Huron-Bruce falls into this category, and I would encourage greater observance of this principle in the future. I thank the member from Welland for raising this point and the government House leader for her response to it.



**The Speaker (Hon. Steve Peters):** It is now time for oral questions. Leader of Her Majesty's loyal opposition.

## ORAL QUESTIONS

### ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** Thank you, Mr. Speaker. Back to reality.

This is to the Premier. Yesterday, the Minister of Health said that it is long overdue for this province to be able to have the eHealth infrastructure that will drive and improve patient care and patient safety. Premier, your minister looked the other way while Liberal-friendly consultants charged taxpayers for \$15 cocktails, and \$300 an hour to read newspaper articles. One consultant even billed taxpayers for sending messages to herself.

Premier, do you really think this type of offensive misuse of scarce tax dollars is improving patient care and safety in this province?

1050

**Hon. Dalton McGuinty:** To the Minister of Health.

**Hon. David Caplan:** I want to thank the member for the question. But before I get to the response, I want to congratulate the member on his years of service and on his last day as interim leader of Her Majesty's loyal opposition. I look forward to sparring with him in question period—and others.

I do acknowledge that in fact the investments in eHealth are significant. I do acknowledge that, unfortunately, a previous government set up Smart Systems for Health with the wrong mandate and put the wrong leadership in place. I do acknowledge that we are behind where we should be. And I do acknowledge that we are finally taking steps to be able to rectify that matter.

We are moving forward to modernize Ontario's eHealth infrastructure. We are going to do it, because it will bring better patient care, better patient safety, connect health care—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Robert W. Runciman:** The minister clearly has a political damage control team in place, advising him to use the same responses to one of his scandals and subsequent efforts to bury and hide his failures, regrettably, to do his job. We saw it at OLG and now we're seeing it at eHealth.

CBC is reporting that when Sarah Kramer was considered for CEO of eHealth, she was given a supportive reference by one Will Falk, a former Liberal staffer. Shortly after Ms. Kramer got the job, she handed off an untendered \$1.3-million contract to—guess who?—the same Will Falk. That strikes me as a very lucrative taxpayer-paid thank you for the reference.

Minister, let's stop the bafflegab. Give us an explanation as to why this use of tax dollars was appropriate.

**Hon. David Caplan:** It's my expectation that, whenever possible, the contracts are tendered in an open and

fair competition. The eHealth board made the decision during that transition period to get eHealth moving forward as quickly as they possibly could. It's important not just for eHealth but for all of us who have the privilege to serve Ontarians, including, I would say to the member, all members of this Legislature. That's precisely why I had a conversation with board chair Dr. Hudson and sought assurances, which were not received, and why I have directed eHealth and the board to undertake a third party review. That will be under the auspices of an internal government auditor, along with the agency's external auditor, PricewaterhouseCoopers. There will in fact be another layer where we have the Auditor General of the province of Ontario, an independent officer of this Legislature, who in fact is looking at—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Robert W. Runciman:** Yesterday in the scrum, even the media were laughing at the minister's desperation in trying to justify these very offensive expenditures of tax dollars.

I want to go to another incident. The Courtyard Group, which is another Liberal-friendly consultant with close ties to the Deputy Premier, also received lucrative taxpayer-paid untendered contracts worth over \$2 million. Top Courtyard employee John Ronson was a former Liberal staffer. Another employee, Karli Farrow, was executive assistant to Minister Smitherman and a policy adviser to the Premier. Courtyard head Michael Guerriere worked right alongside eHealth chair Alan Hudson, who has gone underground since this scandal came to light.

Minister, you can't deny that Liberal entitlement is written all over this. You need to do the right thing: Fire Ms. Kramer. You are the Minister of Health. You're responsible for this file. If you can't do your job, please step down and let—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. David Caplan:** I want to caution the member about some of the accusations that he makes. I can tell you that Dr. Hudson has made very valuable contributions to the medical—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Minister of Transportation.

Minister?

**Hon. David Caplan:** As I was saying, I want to caution the member about some of the accusations that he is making. Dr. Hudson has made tremendously valuable contributions to the medical community and to health care in this province.

I want to quote today's Toronto Star. "Hudson ... received an honorary degree from the University of Toronto for creating a neurosurgical training program widely regarded as one of the best in the world and for his role as head of the push to improve Ontario's wait times for health services." I can tell you that the results speak for themselves and they are impressive.



In fact, Bob Bell, president and CEO of University Health Network, said: "It's unfortunate the work Kramer and Hudson have done at eHealth is being overshadowed.... The leadership of Kramer and Hudson vastly improved Ontario's wait times for cancer surgery, joint replacements, diagnostic scans, cataract surgery and cardiac procedures."

Speaker—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### GOVERNMENT'S RECORD

**Mr. Robert W. Runciman:** To the Premier: Today, as we know, is the last day of the session, a session which has been marred by a record-breaking Liberal deficit, fiscal mismanagement that has made Ontario the only province facing a reduced credit rating, and that's just the tip of the iceberg.

This session ends with Minister Caplan looking the other way while fat-cat Liberal consultants are rewarded with untendered million-dollar contracts. Thousands of Ontarians continue to lose jobs.

Interestingly enough, the Premier, yesterday, told the media that this is one of the best sessions he's had. If we needed any further proof that the Premier is living in a taxpayer-subsidized bubble, he gave it to us with that comment. Premier, do you understand the bad shape this province is in under your watch?

**Hon. Dalton McGuinty:** We had a very productive session in fact. It was our most productive session since we've earned the privilege of serving Ontarians as their government. I say that not simply in terms of number of the bills that we've passed during the course of this session, but in the quality and the substantive aspect of those bills. Take a look, for example, at just one of those: the Green Energy Act. It places Ontario at the forefront in North America.

I recently had the opportunity to visit New York City and hosted a dinner there with a number of venture capitalists in representative ethical investment funds. It is perfectly clear that we have risen to the front of the line when it comes to putting in place the kinds of legislation that will harness energy from the sun and wind and biomass and create some 50,000 jobs, although I should tell you that our American counterparts are saying that in fact we've underestimated. They expect it will create many more than that. That's just one substantive bill—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Robert W. Runciman:** Let's list a few of the other scandals that occurred during the Premier's "best session." Dalton McGuinty brought Ontario into have-not status. He announced his massive McGuinty sales tax, hitting seniors and struggling families with taxes on everything from gas to heating fuel, vitamins and even funerals.

We had the failure to report abuse of caregivers by Ministers Fonseca and Wynne, in order to protect a

federal Liberal friend. Minister Caplan looks the other way while his fat-cat CEO of eHealth twists, bends and manipulates the rules and gives her friends untendered contracts of \$5 million in tax dollars.

Why do you accept such low standards when on this side of the House you screamed for perfection?

**Hon. Dalton McGuinty:** Let's keep in mind the context and the real successes that we have enjoyed, working hard together with Ontarians. I just don't share my honourable colleague's negative and pessimistic view of where we find ourselves and where we're going.

If you take a look at the budget, for example, we have found a way, working hard, as I say, together with Ontarians, to introduce measures that will both make us a more competitive and a more caring Ontario. While we've reduced business taxes and reduced taxes for 93% of Ontarians, we've also effectively doubled the Ontario child benefit.

We're putting new money into social housing. We found more money for health care, more money for education and more money for colleges and universities, notwithstanding that we find ourselves at a time where our economy is contracting. We put forward a good, solid budget that is designed to meet the needs of the day and ensure that we can look forward to the future with a great deal of optimism.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Robert W. Runciman:** Every day, we're learning more and more that if you're a friend of Dalton McGuinty's Liberals, abuse is allowed, even implicitly encouraged, by a government becoming increasingly comfortable with their entitlements.

In the real world, where people are struggling to put food on the table, pay a mortgage, put their kids through school, rules abused the way that Sarah Kramer and Alan Hudson have willingly abused them—it's grounds for termination; no ifs, ands or buts.

Why won't you do that on behalf of Ontarians? Send the right message at the end of this session. Tell Ontarians that it's not okay to manipulate rules in order to fill the bank accounts of your friends and keep them protected. Why won't you do that?

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**Hon. Dalton McGuinty:** The people of Ontario, the people we are privileged to serve and to represent in this Legislature, have high expectations of all of us, and justifiably so. One of those expectations is that we will, in each and every thing that we do, try to be fair.

The opposition has raised some real concerns; I acknowledge those. I think the fair thing to do is to allow our Provincial Auditor to look into this matter, to inquire as thoroughly as he generally does, to come back with some substantive recommendations, for us to carefully consider those recommendations and then to act on those recommendations. I think that speaks to our highest obligation to be fair to Ontarians and to all individuals involved in this matter.



## GOVERNMENT SPENDING

**Ms. Andrea Horwath:** My question is to the Premier. I want to start by sharing a quote with the House: "This government is trying to spin them with their own money, trying to convince people that they're doing a good job. It seems to me that good policy speaks for itself. You don't need to spin people and tell them you're doing good work for them. Let the policy speak for itself." That was Dalton McGuinty, October 25, 2001, in this Legislature.

My question is this: Has the Premier changed his mind about spinning Ontarians with their own money?

**Hon. Dalton McGuinty:** I assume that what my honourable colleague is getting at is whether or not we ought to take measures to inform Ontarians about our recent budget, and I believe we should. I think at the beginning of the 21st century, Ontarians lead hectic, just-in-time lives and I think we have a responsibility to convey to them what we're doing on their behalf.

I think that overwhelmingly, Ontarians don't know that 93% of them will enjoy a permanent income tax cut; they're not aware of that. They're not aware of how we intend to move ahead with a single sales tax and why that's so important to all of us and our economy for jobs today and jobs tomorrow. Just as we have found ways to communicate with Ontarians in other areas on the matters of health care or education or social policy, we think it's also important to talk to them when it comes to financial policy or budgetary policy.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath** Well, apparently for the Premier, policy doesn't need to speak for itself when he's in government. That's cynical politics at its worst.

Here are some more enlightening comments from the Premier: "Partisan government advertising is a disease, and I have the cure." His cure was to introduce legislation to prevent advertising whose primary objective was to foster a positive impression of the governing party.

Dr. McGuinty, why won't you heal thyself? Why won't the Premier halt his shameless attempt at breaking his own law with a multi-million-dollar HST ad campaign, whose only goal is Liberal Party damage control?

**Hon. Dalton McGuinty:** My only affliction is the constant attacks of the opposition parties.

I think we owe it to Ontarians to tell them a little bit more about what we're doing in government to help them better understand. As I do this, I'm proud of the fact that we have put in place the kind of legislation that details what kind of advertising is appropriate and what kind is inappropriate. We put the rules in place and adopted those rules, which were not accepted by my colleagues when they were in government.

So we've made a big step forward. There are rules in place; we will respect those rules. We'll also respect our responsibility to Ontarians to ensure that they are well informed about what it is that we plan to do.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** Instead of investing scarce public money on child care spaces, on hospitals and

seniors in long-term care, the McGuinty Liberals are spending millions of dollars on a partisan advertising blitz. They're choosing partisan put-downs and publicly funded propaganda over straight talk. Why won't the Premier put the brakes on his mass-marketing campaign and pull the plug on the 8% unfair tax grab?

**Hon. Dalton McGuinty:** Just to be clear, we have not run any ads. I've seen a number of ads run by the federal government with respect to their budgetary initiatives. There are ads in other provinces with respect to their budgetary initiatives. We haven't run a single ad yet. But we do think that we are going to have to find some opportunities to better communicate with Ontarians about the specifics to be found within our budget. We think that's important. Ontarians lead busy lives. We have a responsibility to find a way to reach out to them, but to do that in a way that is respectful of the new rules and new laws that we ourselves have put in place.

## ELECTRONIC HEALTH INFORMATION

**Ms. Andrea Horwath:** I look forward to the airwaves over the summer, is all I have to say to that.

Again to the Premier: We are learning each day about the outrageous spending at eHealth Ontario. This agency has burned through millions and millions of dollars on high-paid, high-flying consultants who see nothing wrong with emptying the public purse. We see million-dollar contracts handed to friends of eHealth executives, contracts tendered without a due process, and billing for unconscionable expenditures.

Today I would like to give the Premier one last chance to answer this very basic question: Does he condone this flagrant disregard for taxpayers' dollars?

**Hon. Dalton McGuinty:** I appreciate the opportunity to say what I've said a number of times already. Some things have taken place there which we simply cannot condone. We're going to have to find ways to ensure that those kinds of things don't happen again.

I think the best thing we can do in the circumstances is to allow the Provincial Auditor to do his work, to conduct his investigation, to speak to the appropriate parties, make the appropriate inquiries, come back to us, lay out the facts clearly and provide us with some specific recommendations so that together we might act on those recommendations. I think that's what fairness demands in the circumstances.

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Ms. Andrea Horwath:** You would think, with this government allowing emergency room closures in places like Fort Erie, with shortages of nurses, doctors and personal support workers across this province, growing crises in our long-term care and home care systems, that the McGuinty government would be looking to save all the health care dollars it can and invest properly in our health care system. Instead, this government has stood by and watched millions and millions of dollars go down the drain through mismanagement at eHealth Ontario. When



will this Premier finally take some ownership, step in and clean up this mess?

**Hon. Dalton McGuinty:** Again, I think the fair thing to do in the circumstances is to allow the auditor to do his work, and I think Ontarians are with us there. They are objective, interested, and they want to allow the auditor to complete his work.

But I think, in fairness, we should acknowledge that while we have been working with eHealth to move forward and make progress in that area of establishing an electronic health record system in Ontario, we've also been building new hospitals, hiring more nurses and putting in place family health teams. We've been funding new procedures and we've been improving the rate of getting access to procedures through our wait time progress. So it's not as if we've been focused exclusively on the eHealth challenges; we've also, at the same time, been breathing new life and new strength into the broader health care system for all our families.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** Ontarians have a good reason to be fed up with what appears to be the government's lackadaisical attitude towards health care. Our health care system is clearly in crisis. With cutbacks and increased privatization, communities are being forced to do with less while dollars are flowing in the wrong direction. This government's health minister clearly is not up to the job of managing his ministry. It is up to the Premier to step in, put his foot down and fire the minister and the top officials at eHealth Ontario. Why is he refusing to do that?

**Hon. Dalton McGuinty:** I think I've indicated clearly now on a number of occasions that some things have taken place over at eHealth which none of us are comfortable with, and there are certain things there which none of us could possibly condone. We need to get to the bottom of it, and I think we need to do that in an objective and dispassionate way.

Fortunately, we have an officer of the Legislature who is perfect for these kinds of things. It's the Provincial Auditor. We've asked him to go in there. The Minister of Health has sent him a letter putting in a specific request, asking him if at all possible to accelerate his report, to make that available both in hard copy and online so the public has access to it, so that we can, working together, act on those recommendations at the soonest possible opportunity.

I want to do that in a way, obviously, that doesn't interfere with the progress that we need to make when it comes to putting in place an electronic health record system for Ontarians. We need to find those efficiencies and continue to improve the quality of our care for all our families.

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## ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** My question is for the Minister of Health. I thought, when we heard about the

eHealth consultant billing taxpayers \$300 an hour for reading the newspaper, watching TV and riding the subway, that we'd heard it all. Unfortunately for taxpayers, I couldn't have been more wrong.

Miyo Yamashita, the sole-sourced contractor who billed hundreds for talking to her husband, also had one of her employees bill the taxpayer for editing the bio of Allaudin Merali, the guy making \$60,000 a month and billing taxpayers for a nightly cocktail. He's the same guy who left Alberta after a scathing report from that province's Auditor General.

Minister, can you tell us just what Ms. Yamashita edited out of Mr. Merali's bio?

**Hon. David Caplan:** Of course, the member raises concerns, and both the Premier and I have said we neither condone nor defend the actions, which is why we moved quite swiftly to bring in and to order a third party review, under the auspices of an internal government auditor, in conjunction with PricewaterhouseCoopers, to be able to conduct that investigation. I think that that is important for taxpayers to be able to get to the bottom of it, to make recommendations and to have those recommendations implemented as quickly as possible.

As the Premier has indicated, I have in addition written to Mr. McCarter, the independent Auditor General, officer of this Legislature, under section 17 of the act to ask him, as soon as his report is ready, to please table it with the Legislature and to give me a copy of it, so that we can ensure that his recommendations are implemented as quickly as—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Robert W. Runciman:** By not taking action, the minister is defending these offensive expenditures. The example I just gave is ridiculous, but it gets worse. Ms. Yamashita submitted a time sheet to the taxpayers of Ontario for sending herself e-mails and talking to herself on the phone. I know this is too bizarre to believe, but it's true, and it would be funny if it wasn't so outrageous.

The minister continues, day after day, to stand in his place—and he says he's not defending them, but that's what he's doing, and the Premier as well, suggesting there's no justification for dismissals now. Clearly heads need to role. Kramer needs to be fired, Hudson needs to be fired and this minister, if he doesn't quit, needs to be fired. Will the minister do the right thing, step aside and let someone else clean up your mess?

*Interjections.*

**Hon. James J. Bradley:** Nobody fired Tom Long.

**The Speaker (Hon. Steve Peters):** The Minister of Transportation is not helping the situation.

Minister?

**Hon. David Caplan:** I think Ontarians understand the partisan nature of this place, that members on the opposite side will have certain views and certain partisan rhetoric. Of course we'll get into the conversation here in question period.

I also know that Ontarians are fair-minded people, that they will want independent officers of this Legislature to



get to the bottom of these matters. The Auditor General has long been looking into the Smart Systems for Health Agency, the transition to eHealth Ontario and the subsequent work they have done. In addition to that, we have one of Canada's, indeed the world's, foremost auditing management firms looking at the management practices and financial controls under the auspices of an internal government auditor.

I know that Ontarians are fair-minded. I know that my friend opposite as well, regardless of the rhetoric that he uses, would want to get to the bottom of this. I know that he too would want to see—

**The Speaker (Hon. Steve Peters):** Thank you.

### ELECTRONIC HEALTH INFORMATION

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée. This minister's actions are alarming. He is presiding over an agency that has mismanaged millions of precious health care dollars, and every day, it just keeps getting worse. As this minister tries to shield himself and his friends at eHealth, Ontarians are wondering, who's protecting us? Who's protecting our interests?

Why won't the minister take my advice? Take a deep breath that goes in through the nose and out through the mouth, and then admit to Ontarians that there is a disaster at eHealth and that he will take the immediate, necessary, decisive steps to make it right?

**Hon. David Caplan:** In fact, that's exactly what I have done. I do acknowledge that the investments in eHealth are significant but ultimately will result in better patient care. One day we have the leader of your party saying we should pull the plug—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. David Caplan:** You know, we do have on one day the leader of the third party saying we should pull the plug, that we should not investing in the eHealth infrastructure of this province. On another day we have the critic for the third party saying that these are critical investments and that we should be moving forward as quickly as possible.

Frankly, I do agree that it is long overdue and it is work that should have taken place quite some time ago. Regrettably, the previous government in 2002 set up the Smart Systems for Health Agency with the incorrect mandate and with improper leadership. It took my colleague, my predecessor, Minister Smitherman, to order an operational review of Smart Systems in order to point us in the right direction and get this back on track.

I can tell the member opposite that the current leadership is yielding good results, where we have a pilot project on ePrescribing, linking up pharmacists with primary care physicians, so far in two communities: in Collingwood and in Sault Ste. Marie. We have already begun—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**M<sup>me</sup> France Gélinas:** I tried to offer this minister a lifeline, an honest way out of this mess, but he needs to denounce the culture of entitlement, the waste and the corrupt business deals that are going on at eHealth. The minister needs to do this but he keeps refusing. Sarah Kramer is still the CEO and president of eHealth, and the minister is just fine with that. He isn't prepared to do the right thing: to send a clear message that this kind of culture is not tolerated and that heads need to roll. He needs to step aside and allow someone who is capable of taking over. Will he finally do that?

**Hon. David Caplan:** The right thing to do is to be fair in these circumstances: to have an independent officer of this Legislature, Mr. McCarter, the Auditor General, be able to do his investigation and give us his recommendations, and to see those recommendations implemented to the benefit of not only Ontario taxpayers, but Ontario patients who will rely on the eHealth infrastructure once it is in place.

In addition to that, because I know that Ontarians are fair-minded people and because I know they want to understand what has happened and ways that we can strengthen things, I know that they would support having, under the auspices of an internal government auditor, PricewaterhouseCoopers come in to provide that external third party view of what has taken place; to have a look at the management functions, look at financial controls—again, provide us with the proper advice, guidance and recommendations that can be implemented to protect—

**The Speaker (Hon. Steve Peters):** Thank you.

### STUDENT ACHIEVEMENT

**Mr. Khalil Ramal:** My question is for the Minister of Education. Minister, yesterday the Education Quality and Accountability Office released the results of the 2008-09 secondary schools' literacy tests, the tests administered to more than 140,000 grade 10 students this past March. It measures whether students are meeting the minimum standards for literacy across the curriculum. I am aware that our government has focused on helping all students improve their literacy skills. We created a literacy and numeracy secretariat to support student achievement in schools across the province, provided funding for 10,500 teachers in our schools, and have invested more than \$5 billion in the education system, despite 106,000 fewer students since 2003. I know that this year's results have only improved by 1% over last year. Is the minister satisfied with these results?

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**Hon. Kathleen O. Wynne:** I thank the member for the question. I am indeed satisfied with the results, and the reason is that we were already at a very high level, and so the improvement over last year—we've gone from 84% to 85% of students in grade 10 passing that literacy test. That is a 13% increase over when we came into office in 2003.

Our teachers in our schools are working hard throughout the elementary and secondary panels to improve the



literacy and numeracy skills of all of our students. Those efforts are paying off: 85% of English language students passed, up from 72% in 2003; and 84% of French language students. Significantly, students with special needs and English and French language learners are improving, so that 66% of English language learners passed this year compared to 59% last year. We've got more to do there, but we're moving in the right direction and more of those kids are—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Khalil Ramal:** It's remarkable how much these scores have improved since the McGuinty government took office in 2003. Our government wants to see a good outcome for every student. I have seen the evidence in my riding of London-Fanshawe.

For instance, in the Thames Valley District School Board, we have increased funding by \$130 million despite almost 9,000 fewer students. That has formed a 40% increase per pupil since 2003. This increased support includes funding for 396 new teaching positions, including 70 secondary student success teachers and 761 EAs. But while these test results are coming out, we still have a third of our student population not graduating. Can you tell us what you are doing—despite all this investment—to increase that population?

**Hon. Kathleen O. Wynne:** It's a very good question, because there are still students who are not achieving, and in education in Ontario, we are involved in a cultural shift. It used to be that schools were sorting mechanisms—particularly secondary schools—where there were certain students who were going to achieve and others were not going to, and those kids were written off. We have put a student success teacher in every secondary school in this province and a student success leader in every board. We've placed grade 8 and 9 transition teams in order to help kids make that transition from elementary school to secondary school. We are focused on making sure that every student has the supports that he or she needs in order to succeed.

That means that those students may go on—will go on—to graduate from high school and have more opportunities in their lives after school. That's what we're doing in our schools. We've got 13,500 more kids graduating every year. It's a huge success story, and we will continue to support those kids as they go on in their lives.

#### ELECTRONIC HEALTH INFORMATION

**Mrs. Elizabeth Witmer:** My question is to the Minister of Health. Sarah Kramer signed off on many untendered contracts, totalling over \$3.3 million, to Accenture and Courtyard. Let's connect the dots one more time. William Falk, a partner at Accenture, gave a reference for Sarah Kramer's application to eHealth. He is also a former Liberal minister's political staffer.

Then we have Courtyard. One of their key staff members is John Ronson, a former political staffer, along with Karli Farrow, who worked in both George Smitherman's and Dalton McGuinty's offices.

Minister, you have allowed this culture of entitlement, this mismanagement and abuse of taxpayer money. Ontarians don't need a third party review again. The facts are on the table. Will you resign and give the job to somebody else who can clean up the mess?

**Hon. David Caplan:** In fact, my predecessor ordered an operational review into Smart Systems for Health, set up by the member—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. David Caplan:** My predecessor ordered an operational review into the eHealth agency set up by my friend and her colleagues opposite, which was in quite a mess. We have cleaned that up, the legacy which my friend opposite has left. In fact, we are seeing good results already in the few short months that they have been operational.

The member says that a third party review is not required. I understand that was standard operating procedure when the member opposite was on this side of the House. But I want the member to know that I have trust and confidence in Mr. McCarter, an independent officer of this Legislature, who over the years has done outstanding work on behalf of not only this Assembly but Ontarians and Ontario taxpayers. I believe that the Auditor General will provide us with outstanding insight not only into Smart Systems for Health, into the transition and the actions taken, but give us good advice and guidance on a way forward.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Elizabeth Witmer:** Again to the Minister of Health: Every word that you say brings you deeper and deeper into the scandal that is swirling all around you.

Here's another connection: Sarah Kramer, Will Falk of Accenture and Joanne Walker of the Courtyard Group together penned an article recently bragging about their success. I wonder how much money this cost the taxpayers of Ontario.

Minister, you have allowed this culture of entitlement to continue. You have continued to reward Liberal friends and former staffers. This flies in the face of everything that your Premier has pretended to oppose in the past. Will you finally today recognize that you're in over your head, that you can't clean up the mess, and resign?

**Hon. David Caplan:** I would quote for the member Bob Bell, president and CEO of the University Health Network, who said, "It's unfortunate the work Kramer and Hudson have done"—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. David Caplan:** I say to the member opposite that Bob Bell, president and CEO of the University Health Network, disagrees with the member opposite. This is a respected leader in the health care system, who says that the work of eHealth has been impressive, that they have in fact delivered, and out of the ashes of the former Smart Systems for Health Agency.



I'd like to list for the member some of the accomplishments in a few short months. I've mentioned the ePrescribing system that is in place. We are seeing the rollout of electronic medical records in primary care, in conjunction and in partnership with OntarioMD, our partners at the Ontario Medical Association. We've launched the baseline diabetes data initiative to measure the current state of diabetes care in Ontario, providing physicians with information needed to improve patient care. We've established the diagnostic imaging network, we've developed an electronic system to store images, and we're going filmless right across—

**The Speaker (Hon. Steve Peters):** Thank you.

## AUTOMOBILE INSURANCE

**Mr. Michael Prue:** My question is to the Minister of Finance. A recommendation contained in the Financial Services Commission of Ontario's five-year auto insurance review would slash insurance payouts for serious car crash injuries by 75%. The cap on medical and rehabilitation costs for non-catastrophic injuries would be lowered from \$100,000 to \$25,000. This recommendation would impoverish accident victims, leave taxpayers on the hook for health care costs and further enrich the insurance companies.

I asked a similar question two weeks ago; you've had time to ruminate. Will the Minister of Finance today make it clear that he will reject this recommendation?

**Hon. Dwight Duncan:** We just wrapped up a second round of public consultations with respect to the auto insurance reforms as part of a five-year review that our government put in place when we made initial changes to insurance legislation back at the beginning of the last term. We are assessing the responses we've had from the public on a range of issues, and as I indicated to the member here in the House last week, I anticipate responding likely in the next two to three weeks.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Michael Prue:** In two to three weeks, of course, we will not be sitting here.

The recommendation would seriously damage the quality of rehabilitation services that accident victims receive today. Dr. Peter Rumney of Bloorview Kids Rehab says the following: "It's a huge step backwards.... The proposed \$25,000 cap for rehab services for 'non-catastrophic' claims would, in most cases, be exhausted in three months. It might cover a wheelchair, a couple of modifications to a house and a month of nursing care."

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Just yesterday, I met with the Association of Independent Assessment Centres, and they are echoing the same fears as the many health professionals who have contacted me, and I'm sure you, over the last two months.

When will this minister do the right thing, listen to the experts and say no to FSCO's wrong-headed recommendation?

**Hon. Dwight Duncan:** I will respond, as I indicated, likely in the next two to three weeks, with respect to the

recommendations. And the member's right: We've done extensive consultations.

What I will remind the member is that Ontarians have benefited from a 13% decrease in auto insurance premiums under this government's watch and, if I might add, \$7 billion of auto insurance premiums savings since the reforms we brought forward, implemented in 2003-04 here in Ontario, and reforms, I might add, that were followed in other provinces.

We want to get this right. We've taken a good deal of time to consult. We are completing the five-year review. We will have a response likely in the next two to three weeks. What I can tell you is that this party, this government, the McGuinty government, is looking out for the interests of auto insurance consumers and those who have to access benefits in the unfortunate circumstances they find themselves.

## ENVIRONMENT INDUSTRY

**Mr. Yasir Naqvi:** My question is to the Minister of Research and Innovation. The world is changing. People are looking for cleaner ways to generate power and for new ways to live and do business more sustainably. Environmental technologies represent a multi-billion-dollar global market. They also mean cleaner air, solutions to climate change and a more sustainable and liveable planet for our children. I know that, through the Green Energy Act, our government plans to be at the forefront of this new green economy.

I want to tell Ontarians about a proud example of the cutting edge of this new economy that is located in my community of Ottawa. EcoVu, based in Kanata, has a remarkable technology that identifies and removes contaminants in water by way of a unique single-step process. EcoVu holds five patents for its processes, the result of more than 20 years of research, dedication and hard work. Sir, tell us what the Ministry of Research and Innovation is doing to help bring technologies like this to the global market.

**Hon. John Wilkinson:** I want to thank my friend for the question. Global opinion leaders predict that by the middle of this century, some one half of humanity will not have access to clean drinking water. That is a global challenge, and our government is convinced that what we need to do is seize global opportunities. In Ottawa, in Kanata, there is a company called EcoVu that has come up with a wonderful, innovative solution to increase the ability of humanity to have clean, safe drinking water.

Through our innovation demonstration fund, we've made an investment of some \$4 million into this company as they scale up their processes to meet this growing demand. It's exactly the type of job that we need to create in the province of Ontario to serve a global market.

I'm particularly proud that the innovation demonstration fund, initially allocated with \$30 million, was recently re-endowed with some \$50 million more, bringing our commitment to—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?



**Mr. Yasir Naqvi:** EcoVu's technology both detects contaminants and purifies water in a single step. I've seen this technology with my own eyes, and it's incredible the way it works. This two-in-one approach is faster, achieves higher levels of purity and can yield cost savings by eliminating steps in the purification process. EcoVu's technology can be used for purification and analysis by both industrial users and municipal water departments to increase the sustainable and efficient use of fresh water in the industrialized world.

But also, we know that water use has been growing at more than twice the rate of population increase in the last century. By 2025, 1.8 billion people will be living in countries or regions with absolute water scarcity. This is a dangerous and troubling reality for much of humanity.

Will the minister outline what the people of Ontario, Canada and the world can expect in economic ramifications of an investment—

**The Speaker (Hon. Steve Peters):** Thank you, Minister?

**Hon. John Wilkinson:** I know the member has seen this technology with his own eyes; so have I. I recommend that people go to the website for the Ministry of Research and Innovation, and you will see there a video about this groundbreaking technology, because that video speaks volumes about the tremendous breakthrough that has been made by EcoVu. Right now, that company employs 12 individuals, but they believe that they'll have up to 30 individuals in the next few years.

I want to praise Algonquin College. Algonquin College in Ottawa has been part of the success story of EcoVu. I remember actually making an announcement in regard to EcoVu at Algonquin, and we want to thank them.

Clean technologies represent an amazing economic opportunity for Ontario in what is projected to be a \$125-billion global market by 2010, within the next two years. I don't know about you, but I believe that Ontario needs to get its fair share of \$125 billion—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** Back to the Minister of Health: Minister, will you confirm whether or not you've received or did receive any correspondence advising you not to involve either Alan Hudson, Sarah Kramer, or both, in the eHealth agency?

**Hon. David Caplan:** I'm not sure what the member is referring to. However, I can tell you that I have treated concerns that have been brought here to this Legislature in a manner most serious. I've expressed my concern—I neither condone nor defend them—as has the Premier. I think that's why we took the prudent step that Ontarians would expect that we would take, which is to instruct the board, under the auspices of an internal government auditor, to take on a third party review through the external audit process of PriceWaterhouseCoopers.

In addition to that, I have, on occasion, been able to share with the member that I have been in conversation with Mr. McCarter, the Auditor General of the province of Ontario. Under section 17 of the Audit Act, I have written to Mr. McCarter requesting that he table his report with—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Robert W. Runciman:** I'll say it once again: By not taking action, the minister has condoned this offensive abuse of tax dollars.

As you noted, Speaker, he didn't answer my question. It's a simple question, and I think it's a very important question, because if he did have these facts before him before these appointments occurred, I think his complicity in this scandal is even greater.

If he won't deny, then I ask him if he will search his files, make this letter public and save people the time, save the public the time and expense of obtaining a copy through the FOI process. Will you do that?

**Hon. David Caplan:** I have said to the member opposite, I want to caution him in some of the accusations he makes. I would note that Dr. Hudson is a very well-respected member of the medical community; in fact, so much so that members opposite appointed him as head of Cancer Care Ontario in 2001. He has done tremendous service to this province, as Bob Bell has noted—as I have read that quote earlier.

Perhaps I did go a little bit far in my earlier comments regarding Smart Systems for Health, because they did accomplish some important objectives for this province, and I do wish to acknowledge that, in contrast to my earlier remarks. For example, they helped to build and connect approximately 7,000 secure network sites in the province. In fact, we are now connected—every surgeon's office in the province. No other province in Canada has this type of system in place—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## LABOUR MOBILITY

**Mr. Paul Miller:** My question is to the Minister of Training, Colleges and Universities. As you know, other jurisdictions in Canada have a far less restrictive regime than Ontario when it comes to allowing accounting professionals to practise in the area of public accounting. As labour mobility is founded on the acceptance of professional qualifications from other jurisdictions, when will this government support the removal of all barriers blocking accounting professionals who can practise public accounting in their home province from practising public accounting in Ontario?

**Hon. John Milloy:** I may refer the supplementary to the Attorney General, but I'd like to point out to the member that Ontario is a signator to the Ontario Labour Mobility Act. We brought forward legislation in this House which will remove barriers for individuals to practise across the province. At the same time, the



province of Ontario, as well as other provinces, has the right to put forward exceptions or instances where we believe there are differences between the professions, and for a variety of reasons, such as health and safety, that we feel that an individual who comes to this province in this profession needs to upgrade their skills or seek other training. We're in the process of developing that list of exceptions and working with other provinces to keep them to a minimum, but at the core, we want to see the borders open throughout Canada.

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**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Paul Miller:** I guess they've got to watch those paper cuts.

What evidence does this government have to support the claim that Ontario consumers would be at risk if a licensed public accountant, other than a chartered accountant, were to practise public accounting in Ontario? This government's position is particularly bewildering, given that an independent trade panel has already ruled that the Ontario government's barrier to labour mobility—which he says it isn't; it is—for public accounting is inconsistent with the interprovincial Agreement on Internal Trade. It is more bewildering, given that the continuation of this barrier will cost Ontario taxpayers up to \$5 million under the terms of AIT's new dispute resolution mechanism.

I repeat: Without any evidence that consumers will benefit, why is this government pursuing this unfounded barrier to labour mobility for public accounting?

**Hon. John Milloy:** To the Attorney General.

**Hon. Christopher Bentley:** The maintenance of accounting standards is important for all of us, whether in a business or individually. That's why, after 40 years of discussion, this Legislature came together and agreed on the process we now have in the province of Ontario, a process which provides the determination of these standards, and who qualifies, to an independent body, the Public Accountants Council, that makes the determination of the standards to protect us all.

We all came together—all branches of the profession within the province came together. These very important issues for the people of Ontario are determined independently, according to the principles that apply to accountancy. They are not a political issue for us.

## SPORTS AND RECREATION FUNDING

**Mr. Dave Levac:** My question is for the Minister of Health Promotion. As all of us know, amateur sport plays a significant role in communities across the province. It contributes to Ontarians' physical and emotional well-being, among other benefits. Considering the health benefits, there is certainly a need for Ontarians' sport and physical activity participation levels to increase.

Promotion of physical activities focuses on active living and encourages Ontarians to look for enjoyable ways to make physical activity a regular part of their daily life. Amateur sport provides Ontarians of all ages

with opportunities to participate in sports activities to suit their aspirations and abilities.

Whether it be children and youth, seniors, women, aboriginals or individuals with disabilities, all Ontarians should have access to greater opportunities to stay active.

Can the minister share with us the plans that are in place to ensure that we're providing Ontarians with appropriate support, and specifically, how those who most need it are getting it?

**Hon. Margaret R. Best:** I want to thank the member from Brant for that question. He's certainly a great advocate for his community.

**Interjection:** Hear, hear.

**Hon. Margaret R. Best:** Hear, hear.

The McGuinty government continues to work to increase opportunities for participation in sport among our most under-represented groups. I had the privilege of announcing on Monday, along with the federal Minister of State for sports, an investment of \$5.3 million to assist disadvantaged and vulnerable Ontarians to gain access to physical activity and sports. Under the Sport for More bilateral agreement, the McGuinty government and the federal government collaborated in investing \$2.65 million each. This is a total investment of \$5.3 million.

This is another example of our government's commitment to Ontario's children and youth, Ontario's aboriginal communities, Ontario's ethnic minorities, Ontario's—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Dave Levac:** Improving the health and quality of life of Ontarians through sport and physical activity is indeed vital and also proven by research. I'm pleased to hear that the funding will focus attention where the greatest needs exist.

This type of support will also work towards the goals of Canada's first-ever national physical activity targets for children and youth aged 5 to 19, set at the federal-provincial-territorial conference on sport in Victoria, on May 21 and 22, 2008.

Ontario's aboriginal community has a great history, heritage and traditions that enrich our province. It's important that members of the aboriginal community receive sufficient opportunities through this bilateral agreement. It's important to my riding of Brant, and indeed to those who are living inside the entire province of Ontario, especially those with disabilities. There is a great interest, in the residents of my community and the rest of the province, for the McGuinty government to provide for First Nations communities and Ontarians with disabilities. Could you elaborate on the level of—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Margaret R. Best:** Our government, the McGuinty government, is committed to engaging all Ontarians in active, healthy lifestyles. That is why we are investing over \$1 million in our aboriginal communities; that is why we're investing over \$400,000 in support of organizations such as ParaSport Ontario, the Ontario Wheelchair Sports Association and the Ontario Deaf



Sports Association. As a result of this investment, over 10,000 children will have access to organized activity sessions from 60 First Nations communities across Ontario.

In addition, six new aboriginal community activators have been hired in First Nations reserves, bringing this to a total of 15. Over 5,000 vulnerable children and youth across Ontario will receive customized sports camps through the—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### TENANT PROTECTION

**Ms. Cheri DiNovo:** My question is to the Minister of Housing. With little notice and no consultation, the Landlord and Tenant Board has recently changed all in-person hearings to telephone hearings in southwestern Ontario. This has resulted in tenants losing their homes, sometimes in a matter of seconds, by telephone. Under this new process there is little or no access to mediation services, and it is very difficult to provide free tenant duty counsel services to low-income tenants. Some tenants are on cellphones, paying for their own eviction. Some have no access to a phone at all. Why is this minister allowing such gross violations of due process at the Landlord and Tenant Board?

**Hon. Jim Watson:** I hate to correct the member on the very last day, but in fact not all hearings are being held via teleconference. That is an option for those individuals in more remote areas. In fact, we have a number of very highly qualified adjudicators who are responsible for having in-person hearings. The work that this government has done—and my predecessor, Minister Gerretsen—to reform the Landlord and Tenant Board and to make it more user-friendly for tenants has gone over very well. We're very proud of those reforms. They're very progressive.

I again remind the member that we do have adjudicators. They have in-person hearings, and we're proud of the work we've done. We have allowed some hearings to be heard by teleconference as a cost-saving measure, but individuals do have the right to have an in-person hearing.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Cheri DiNovo:** It's a cost-saving measure for landlords but certainly not for tenants. Perhaps this minister is unaware of how grossly unfair telephone eviction really is. In a recent hearing in Stratford, a social housing landlord told the Landlord and Tenant Board that a tenant, who was a subject of the eviction application, did not have a telephone. The landlord requested that the hearing be held in person. The request was refused.

Under the Statutory Powers Procedure Act, the tribunal has an absolute responsibility to avoid electronic hearings if it is "likely to cause the party significant prejudice." Why won't the minister end this absolutely shameful practice?

**Hon. Jim Watson:** Again I'd remind the honourable member that individuals do in fact have the right to have

an in-person hearing. If the honourable member would like to provide me with the specific issue and the individual's name, I'd certainly go forward to Dr. Ma, who is the chair of the Landlord and Tenant Board, doing an excellent job on behalf of tenants and landlords in the province of Ontario. I'd be very happy to examine that particular case and see why that ruling was given, because we want to make sure that every tenant who appears has unfettered access to the Landlord and Tenant Board. We're happy to look into any specific issue that the honourable member would like to forward to me.

**The Speaker (Hon. Steve Peters):** Thank you. I'd just like to remind the honourable members of the Cattleman's barbecue on the front lawn today. Also, happy birthday, the 29th, to the member from Burlington. "Happy birthday to you."

This being the last question period, I wish all members and all staff in the Legislature a safe summer and look forward to seeing you all in the fall. This House stands recessed until 1 p.m.

*The House recessed from 1150 to 1300.*

### INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to welcome two guests to the Legislature today, sitting in the east members' gallery: Mr. Fred Opolot from the Office of the President of Uganda; and Gilbert Kadilo, director of communications from Makerere University in Uganda. Welcome, gentlemen, to Queen's Park.

I'd also like to welcome, on behalf of the member from York West and page Alexander Singh, his mother, Shirley, his father, Buddy, and his sisters, Natalie and Sharon Singh, in the east members' gallery this afternoon. Welcome to Queen's Park.

### MEMBERS' STATEMENTS

#### HOLLAND MARSH

**Mrs. Julia Munro:** Many of my constituents have been writing, phoning and e-mailing me with their concerns about the peaker plant that the government wants to build in King township in my riding. They are concerned that this plant will be built in the greenbelt right next to the Holland Marsh.

Let me remind this House of the importance of the Holland Marsh: 7,000 acres of low-lying land containing some of the richest farmland in Ontario. The annual value of the carrots grown in the Holland Marsh today is estimated at \$130 million, with onions at \$160 million. Greens, such as celery and lettuce, make an estimated provincial impact of \$160 million. About 90% of all vegetables consumed in Ontario are grown there. Tomatoes and ornamental flowers are also grown inside



18 acres of year-round greenhouses. Growers estimate the marsh has a total economic impact of over \$1 billion annually.

In the process of approval for locating a peaker plant, how important is our food supply to this government? Community residents are naturally concerned and believe that only a full environmental assessment can protect the unique features of the Holland Marsh.

#### WAJIH HAMKA

**Mr. Khalil Ramal:** I rise in the House today to recognize Dr. Wajih Hamka, a very generous dentist and businessman from Ottawa. His continued support to numerous organizations, hospitals and charities reaches well beyond not only his community, but also our country and the world.

Dr. Hamka has proven time and time again to be an exemplary citizen and role model to all. Apart from the numerous humanitarian deeds he has completed thus far, Dr. Hamka is the recipient of several awards, certificates of merit, as well as congratulatory praise from community and organizational leaders. His philosophy on charities goes beyond making financial donations: He is committed to being involved, regardless of the challenge.

Although he travelled and lived in many countries before settling in Canada, Dr. Hamka never ceased to help those around him. Due to his kind nature, he founded the Hamka Charity Foundation in 1990. He lives to serve our province and our country.

I wish him all the luck and success for his undying generosity, as he's always able and willing to give to others.

Thank you, Mr. Speaker, for allowing me to make the statement. I wish Dr. Hamka all the success, and to continue to give to our province and our country, and to help others, without any conditions.

#### CATTLE FARMERS

**Mr. Ernie Hardeman:** Today, members and staff of this Legislature have been treated to a great lunch of high-quality Ontario corn-fed beef. I want to thank the Ontario Cattlemen's Association for providing lunch and doing a great job of letting us know the challenges that our farmers are facing.

However, I'm disappointed that the items they are asking for today are similar to the ones they needed last year. It seems a sad statement on the responsiveness of this government and the Minister of Agriculture that in that time no progress seems to have been made.

The Ontario cattlemen are still asking for a \$20-million corn-fed beef ledger account to provide stability to our cattle farmers. As the minister drags her feet, statistics are showing that there are fewer and fewer cattle being raised in Ontario.

They are still asking this minister to admit that the AgriStability program—that she signed on to—isn't working; since, the minister hasn't been addressing the problem of helping young farmers.

The Ontario Cattlemen held round tables to talk about the challenges beginning farmers are facing and what solutions are needed. They have heard from young farmers that we need to look at interest-free start-up loans. While we wait for a response from the minister, our farmers continue to get older.

Since the government has created this long summer break, I hope the Minister of Agriculture will use it to get out to the farms, talk to our farmers and take real action to help our farmers succeed.

Thank you to the cattlemen of Ontario for being here to provide us with that great barbecue on the front lawn of the Legislature.

#### AIR QUALITY

**Ms. Cheri DiNovo:** I'm rising in the House today to speak about a phenomenal coalition called the Clean Train Coalition.

Many may not know this, but Metrolinx is planning on sending diesel trains through our communities at the rate of up to 400 diesel trains a day from the current traffic of about 40. What they're going to be spewing into the air is incredible—hundreds of toxic air contaminants, including arsenic, benzene, cadmium, dioxins, lead and mercury. This is within 30 metres, or less in some instances, of 200 schools—30,000 little children whose lungs are just developing. In fact, this is more polluting than if people just took their cars to work downtown, which is some misinformation that Metrolinx is putting out.

What the Clean Train Coalition is asking for, and what we're asking for, all along the train corridor is real consultation with our community. We're also asking for electric, now. It's way cheaper to put electric trains on those rails right now than it is to pay the health costs for our children and our grandchildren and their grandchildren. That's what we're asking for.

We're not hearing back from Metrolinx, but certainly the challenge is there—and to Minister Bradley, whom the Clean Train Coalition is asking all their members to e-mail.

Go to [cleantrain.ca](http://cleantrain.ca) and please e-mail Jim Bradley and tell him you will not take it; you want electric trains and you want them now.

#### EVENTS IN YORK CENTRE

**Mr. Monte Kwinter:** In the spirit of National Tourism Week, I'm pleased to tell this House that the riding of York Centre recently received funding of almost \$38,000 through our government's Celebrate Ontario program.

This program, initiated by the McGuinty government, is supporting the growth of the fourth annual Wings and Wheels Heritage Festival, which occurred in my riding at Downsview Park recently. The festival, which took place May 22 to 24, 2009, was held in the original de Havilland Aircraft of Canada factory as well as outdoors. This historical backdrop offered visitors a rare opportunity to



get up close and personal with vintage and modern aircraft, classic cars and much more.

The support from our government helped to boost the local economy in York Centre by attracting new audiences and generating more economic activity in my riding.

Just this year, the Celebrate Ontario program provided \$11 million to 224 festivals and events, an increase of 150% over last year. To date, the program has invested a total of \$25 million for festival events throughout the province.

### PENSION PLANS

**Mr. Norman W. Sterling:** Our society is built on the belief in fairness. People believe that their governments will treat all people in an even-handed manner.

This week, the Ontario government, the McGuinty government, gave General Motors \$3.5 billion. That's \$307 dollars for every man, woman and child in Ontario. The money will flow through GM to its pension plan. The 67% of Ontarians who don't have a pension plan will be bailing out the GM pension fund.

One e-mail I received sums it up: "I don't have a company pension so I have to fund my own. It seems insane to think I am funding someone else's."

What about Nortel pensioners? Their plan is also underfunded, so many of them will see their pensions cut by 25% to 75% when this historic company winds down. Is it fair to ask them to pay \$307 each so that GM retirees will get 100% of their pensions?

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The Premier is creating two classes of pensioners and people: those at GM who receive \$3.5 billion in tax dollars, and the rest who have no protection for their pension, or no pension at all, but are still expected to pay the bill for the GM bailout. When we ask what he will do for Ontarians, our Premier tries to shift the blame to the federal government. The Premier caused this inequity and should face up to his responsibility and come forward with a plan that is fair for all Ontarians.

### LEGISLATIVE PAGES

**Mr. Dave Levac:** As we wind down this interesting sitting of the Legislature, it's a great pleasure to be able to stand here today to recognize all of the great and wonderful men and women who make the lives of all members in this House easier and complete during these long days of work here at Queen's Park.

From the Clerk and her staff, to the Sergeant at Arms and his staff, to the legislative security services—especially Harold who takes care of my car in the parking lot—and to you, Speaker, and your staff.

Of course, the most critical individuals who make Ontario's Legislature work are the many young grade 7 and 8 students from across Ontario, the legislative pages. Page Matthew Crawford from the great riding of Brant, or the daughter of Dr. Johanna Carlo, the page

Samantha Carlo-Beleutz, who resides in the beautiful riding of Beaches—East York of the member across, Mr. Prue—who takes care of my executive assistant Chris Yaccato—for the example that they work incredibly long hours to ensure we're all looked after.

We discussed today that the pages are enjoying themselves so much they don't want to leave. I did a little searching and found out. I heard through the grapevine that the reason they don't want to leave is because they haven't been able to locate the ghosts that reside here at Queen's Park yet and they want to catch a glimpse of a ghost.

Unfortunately, the summer break is here, and I would like to reiterate that the pages are some of the hardest workers in the Legislature, and we want them back at any time. And I know the members will agree with me that when they grow up to be our successful leaders in the communities, one of them might even sit as an MPP. I hope they don't want my seat.

Pages, as you leave the Legislature, know that we appreciate your work, and thank you for the dedication you have for us and your communities and your parents. You've done them all proud. Congratulations.

### WORLD ENVIRONMENT DAY

**Ms. Helena Jaczek:** I rise today to recognize United Nations World Environment Day, celebrated each year on June 5. The theme for this year's World Environment Day is: Your Planet Needs You! Unite to Combat Climate Change.

Climate change is our generation's greatest environmental challenge. Our government's ambitious climate change action plan lays out among the most aggressive greenhouse gas reduction targets in North America and a roadmap to achieving those reductions. Our government recognizes that the solutions to the twin challenges of the environment and the economy go hand-in-hand, and this session, our government has taken two more important steps.

The new Green Energy Act will provide the government with the necessary tools to ensure Ontario's place as North America's renewable energy leader and sets Ontario on the path to a 21st-century green economy. Last week, our government introduced legislation that, if passed, would enable the establishment of a greenhouse gas cap-and-trade system for Ontario, helping industry reduce greenhouse gas emissions and stay competitive in the emerging low-carbon economy.

As we recognize World Environment Day, we know that there remains much more work to be done. We will continue to move forward to protect our environment and grow the green economy.

### CATTLE FARMERS

**Mrs. Maria Van Bommel:** I rise today to welcome members of the Ontario Cattlemen's Association who are visiting us here at the Legislature for their annual beef

lunch on the front lawn at Queen's Park. I especially want to welcome the OCA president, Gord Hardy, who is a constituent of Lambton-Kent-Middlesex. I had actually hoped that he would be here today, but judging by the lineups that we had outside, I think he's probably still serving beef. I know members and staff will tell you that this is probably the most anticipated lunch of the year here.

This day is very important, as it gives members the opportunity to engage with Ontario's beef producers and also to thank them for providing us with the best and safest product in the world.

Formed in 1963, the Ontario Cattlemen's Association represents 19,000 beef producers throughout the province through 49 county associations. In 2008, the farm gate sales of calves and cattle valued at over \$1 billion. We know that this industry is vital to Ontario's economy, employing approximately 30,000 people. Our government continues to work closely with the Ontario Cattlemen's Association, as well as all our partners in agriculture and the agri-food sector. We will continue to make strategic investments in research, innovation, branding and marketing to help Ontario's agri-food industry grow to be a strong, strong participant in our economy.

Again, I hope everyone enjoyed their lunch here today.

## INTRODUCTION OF BILLS

### PENSION BENEFITS STATUTE LAW AMENDMENT ACT, 2009

#### LOI DE 2009 MODIFIANT DES LOIS EN CE QUI A TRAIT AUX RÉGIMES DE RETRAITE

Mr. Wilson moved first reading of the following bill:

Bill 195, An Act to amend the Pension Benefits Act and other related Acts with respect to the transfer of assets between pension plans / *Projet de loi 195, Loi modifiant la Loi sur les régimes de retraite et d'autres lois connexes en ce qui a trait au transfert d'actif entre régimes de retraite.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement?

**Mr. Jim Wilson:** This bill would amend the Pension Benefits Act to allow for the transfer of pension assets, and require the administrators of pension plans to enter into an asset transfer agreement in respect of employees whose employment has been transferred.

It would specifically deal with an issue that I have been working on regarding the transfer of pension assets for paramedics throughout Ontario, and in Simcoe county

in particular. Ontario's paramedics deserve to receive their full pension benefits when they retire, even if they have been transferred between employers throughout their careers.

### BARRIE-INNISFIL BOUNDARY ADJUSTMENT ACT, 2009

#### LOI DE 2009 SUR LA MODIFICATION DES LIMITES TERRITORIALES ENTRE BARRIE ET INNISFIL

Mr. Watson moved first reading of the following bill:

Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil / *Projet de loi 196, Loi concernant la modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement?

**Hon. Jim Watson:** I'll make my statement during minister's statements.

### HUMAN RIGHTS CODE AMENDMENT ACT (FREEDOM OF EXPRESSION), 2009

#### LOI DE 2009 MODIFIANT LE CODE DES DROITS DE LA PERSONNE EN CE QUI CONCERNE LA LIBERTÉ D'EXPRESSION

Mr. Klees moved first reading of the following bill:

Bill 197, An Act to amend the Human Rights Code with respect to freedom of expression / *Projet de loi 197, Loi modifiant le Code des droits de la personne en ce qui concerne la liberté d'expression.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement?

**Mr. Frank Klees:** This bill, if passed into law, will repeal section 13 of the Ontario human rights act. This is the section that is being used by the commission to justify investigation into the views and opinions of citizens of Ontario. This has a chilling effect on freedom of expression and is contrary to that important value in our democratic society. Freedom of expression is a core value of democracy, from which rights naturally flow and without which our very political system would perish.

There are those who want to abolish the Ontario Human Rights Commission. I strongly disagree with that position. Abolishing the human rights commission and its tribunal is not the answer and would in fact send the wrong message to Ontarians and the international community about the importance we place on human rights in this province. That is why I believe the responsible solu-



tion is to reform and refocus the human rights commission, not to abolish it. That is why I'm proposing this legislation, and I'm asking members of this House, from all parties, to support us in quick passage.

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PLANNING AMENDMENT ACT  
(ENABLING MUNICIPALITIES TO  
REQUIRE INCLUSIONARY HOUSING),  
2009

LOI DE 2009 MODIFIANT LA LOI  
SUR L'AMÉNAGEMENT DU TERRITOIRE  
(INCLUSION DE LOGEMENTS  
ABORDABLES PAR LES MUNICIPALITÉS)

Ms. DiNovo moved first reading of the following bill:

Bill 198, An Act to amend the Planning Act with respect to inclusionary housing / Projet de loi 198, Loi modifiant la Loi sur l'aménagement du territoire à l'égard de l'inclusion de logements abordables.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Ms. Cheri DiNovo:** The Planning Act is amended to include the adequate provision of a full range of housing with this bill, including housing that is affordable to low- and moderate-income households, as a matter of provincial interest.

Section 34 of the act is amended to allow the councils of local municipalities to pass zoning bylaws requiring inclusionary housing and regulating the required percentage of affordable housing units in new housing developments in the municipality.

The new section 37.1 of the act allows municipalities to pass bylaws requiring that a specified percentage of housing units in all new housing developments in the municipality be affordable to low- and moderate-income households.

Section 51 of the act is amended to allow the approval authority to impose, as a condition to the approval of a plan of subdivision, a requirement that a specified percentage of housing units in all new housing developments in the subdivision be affordable to low- and moderate-income households.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Brad Duguid:** I believe we have unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Brad Duguid:** I move that, notwithstanding standing order 98(g), the requirement for notice be waived with respect to ballot items 25, 26, and 27.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

## STATEMENTS BY THE MINISTRY AND RESPONSES

### MUNICIPAL PLANNING PLANIFICATION MUNICIPALE

**Hon. Jim Watson:** Today, I'm pleased to introduce the proposed Barrie-Innisfil Boundary Adjustment Act, 2009. This is a key part of the Ontario government's support for sustainable and managed growth in the Lake Simcoe area. It's part of our integrated approach to improve the quality of life in Simcoe. Resolving the long-standing Barrie-Innisfil boundary dispute would help us address the growth planning and environmental protection issues in the area.

Ce projet de loi est une pièce maîtresse du soutien accordé par le gouvernement de l'Ontario à la croissance gérée et durable dans la région du lac Simcoe. Il fait partie de notre approche intégrée d'amélioration de la qualité de vie dans la région de Simcoe. Le règlement du différend de longue date sur les limites territoriales de Barrie et Innisfil nous permettrait de résoudre des questions de planification de la croissance et de protection de l'environnement touchant la région.

The government has tried to encourage and champion a local solution to this issue on several occasions over many, many months. That has always been our preferred, number one option. As such, I have previously met with the mayors of Innisfil and Barrie, as well as the warden of Simcoe county. We sent in a provincial facilitator to help, and while a settlement was proposed for consideration by the municipalities, no agreement was reached. I also helped convene a further meeting of all parties at the AMO conference in Ottawa. Again, this was met with no local resolution. I then met individually with Innisfil, Barrie and Simcoe county representatives, and still no solution could be reached.

All local options have failed, and this government is prepared to act, and to act decisively, because this issue has dragged on for far too long. This solution will greatly improve the long-range planning and management of growth in this important part of the province. A point I wish to emphasize is that under the growth plan for the greater Golden Horseshoe area, the city of Barrie contains the only designated urban growth centre in the Simcoe area. As such, the province is proposing, through this bill, to extend the southern boundary of the city of Barrie. This proposed boundary adjustment is based on Barrie's land needs, the growth plan policy and addi-



tional consideration, such as the protection of the Lake Simcoe watershed.

The proposed boundary adjustment would provide the city of Barrie with 2,293 gross hectares of land as of January 1, 2010. This would provide Barrie with enough land to satisfy its land needs until 2031 and beyond. The lands would retain current land use designations until such time as the city of Barrie proceeds through a land use planning process to determine the future use of the lands. In considering where and how it will grow, Barrie is required to ensure consistency with the provincial policy statement and conform to the growth plan, both of which are aimed at curbing urban sprawl. However, this boundary adjustment is not just about the city of Barrie and its land needs. Our government understands the importance of protecting the individual characteristics of the town of Innisfil.

In addition, the Ministry of Energy and Infrastructure will consult over the summer on the area known as Innisfil Heights. If the proposed changes to the growth plan are made following the consultation, Innisfil Heights has the potential to bring much-needed employment opportunities within the Innisfil boundary as well as expanding Innisfil's current tax base. I believe that this boundary adjustment would be a win-win for both Innisfil and Barrie as well as Simcoe county. It would provide Barrie with larger development parcels of land that are close to the Highway 400 corridor. It would extend the municipal boundary between Barrie and Innisfil to Innisfil Heights, and although no planning decisions have been made, this could ultimately enable both Barrie and Innisfil to plan for development and employment lands along the Highway 400 corridor. It would give a clear signal of the direction for managing growth in the Simcoe area.

I've worked closely with my cabinet colleagues the Honourable George Smitherman and the Honourable John Gerretsen, the Minister of the Environment, and we have come up with an integrated approach to the growth challenges of the Simcoe area that protects Lake Simcoe and its watershed. Our government forecasts 73,000 new jobs in the Simcoe area by 2031.

J'ai collaboré étroitement avec mes collègues du Conseil des ministres, les honorables George Smitherman et John Gerretsen. Ensemble, nous avons élaboré une approche intégrée pour surmonter les défis en matière de croissance de la région de Simcoe tout en protégeant le lac Simcoe et son bassin versant. Notre gouvernement prévoit la création de 73 000 nouveaux emplois dans la région de Simcoe d'ici 2031.

Boundary disputes create unnecessary friction and division and do not help to create a sense of confidence, stability and progress within the Simcoe area. They also don't help to create jobs or encourage economic development. Businesses need to know the future direction of the Simcoe area in order to expand businesses, and municipalities need to know in order to attract businesses.

Simcoe and Barrie, like all counties and cities in Canada, must focus on ways to attract jobs and oppor-

tunity and not discourage growth or add confusion. These issues don't create one job, and it's counterproductive to what we should all be doing during this time of economic challenge. This proposal, together with the work of my colleague Minister Smitherman, who is releasing a discussion paper today entitled Simcoe Area: A Strategic Vision for Growth, will be in the best interests of the entire region. We should be working together to retain and grow jobs in Simcoe, Barrie and Innisfil. That is the message I passed along today when I personally called the mayors of Innisfil and Barrie and the warden of Simcoe county.

The McGuinty government wants to ensure that those jobs are accommodated in a sustainable fashion. That means protecting our natural environment and our farmlands. That means bringing a semblance of order and thoughtful planning to the entire region. That means creating liveable communities. And that means supporting the infrastructure investments necessary for sustainable development. That vision can be a reality. I urge all members to support the passage of this bill.

**The Speaker (Hon. Steve Peters):** Statements by ministries? Responses?

1330

**Mrs. Julia Munro:** I'm pleased to be able to respond, on behalf of the official opposition, to the bill that has been introduced today.

While there's the story of David and Goliath, and as everyone knows, I'm sure, David won, today the Liberals rewrote the story, and Goliath, known as Barrie, has won without lifting a finger. With the stroke of a pen, this government has created 2,293 hectares of land open to any kind of development at this point.

The minister made reference to the fact that the city of Barrie contains the only designated urban growth centre in the Simcoe area. What's interesting about this reference is the fact that the only way the government sees this happening is obviously at the expense of Innisfil. I think all of us thought that the notion of the growth plan was to contain sprawl, and that, to most of us, means intensification. Instead, we have the appetite of Barrie being met with this piece of legislation, and then we're going to talk about the principles of the growth plan.

The minister talks about the importance of opposing urban sprawl, but that's after the fact that this transfer of thousands of acres would go to Barrie. It's important to see the principle, but we are just going to make this one adjustment and we'll come back to the principle after the opportunity has been given to Barrie to provide this kind of growth.

There are many questions that will have to be answered. The bill itself simply identifies the area of land that Barrie will assume. The minister has talked about a process of consultation that will go on during the next few months. I would suggest to the minister that he needs to have these conversations in Innisfil and Barrie and talk to the local residents.

One of the issues, certainly—the minister alluded to this, but I would just point it out—is the question of the



protection of Lake Simcoe. I pointed out last week that Innisfil actually has a better environmental record than Barrie. Barrie puts two and a half times as much phosphorous per litre into the lake than Innisfil. Obviously, the question that comes from that is the danger of these new development lands on the water quality of the lake.

Although the minister has referenced past meetings that took place, I think that certainly the people I have the privilege to represent were looking for the minister to offer a greater opportunity for consultation. As we look at this particular piece of legislation, the residents of Innisfil will be watching very closely for this consultation process and for assurances of the continued viability of Innisfil.

As I have the opportunity to share my time with the member from Simcoe-Grey, I would just ask that a page come to deliver the messages from the people of Innisfil on this issue.

**Mr. Jim Wilson:** I just want to take this one minute to put on the record a letter from His Worship Tom Walsh, mayor of the township of Adjala-Tosorontio, which I think reflects the sentiments of all 16 municipalities that make up the county of Simcoe. This letter was written to the minister on June 2: "As mayor of a municipality in South Simcoe, I feel that I must advise of our concerns about the proposed acquisition of lands from the town of Innisfil by the city of Barrie."

As I'm going to run out of time, Mr. Speaker, I just want to say that they're very much opposed to this. It affects all the municipalities in the county of Simcoe, because our assessment will be lower as a result of not having commercial and industrial development in Innisfil and its ability to pay the county bills. I just want you to know that not all is well in Simcoe, and they're not all in favour of what you're doing today.

**The Speaker (Hon. Steve Peters):** Responses?

**Mr. Michael Prue:** I've just been handed a copy of the bill, as is the way we do business around here, and I had an opportunity to read it. The first thing that popped out to me is that this is a transfer of lands that were put aside some 20 years ago, so this ought not to come as a surprise, literally, to anyone. These lands were set aside and there has been an ongoing dispute for more than 20 years on what to do with them.

But the question that next comes to me, though: Is this a fair resolution? Is this the right thing to be doing in terms of Barrie, which obviously wants to expand and have more money, more power and more ability to tax? Is it a fair resolution to the people of Innisfil and the surrounding municipalities, which are going to find themselves with less land, less ability to tax, and therefore having to go back to their members and their citizens to get alternative forms of monies in order to keep going?

The bigger question, though, has to be, how will this land be developed? That has to be the question, because we have seen what this government has done before with annexations: the annexation in Oxford; the annexation and the secret negotiations in places like Bradford, where there was a secret negotiation of 1,800 acres of prime

farmland that was negotiated away; in Innisfil, where a thousand acres were negotiated away for residential housing; and the expanding hamlet of Bond Head, which the government was right into and which went from 500 people to 4,500 people. Is this what the government has planned?

The whole question I have is, is the government committed to its Places to Grow Act? Is that what this is all about, in order to prop up and keep the Places to Grow Act going? Or is this just another opportunity, like Oxford, Innisfil and the hamlet of Bond Head, for urban sprawl? Is that really what the government has in mind, because, quite frankly, I'm very worried, given what has happened in the past.

The government of Ontario, of course, is imposing its will. This is a government that likes to talk the good talk about talking to municipalities—the 480 municipalities—being equal partners, the 480 municipalities having an opportunity to have input and to be respected. And here again, we see the government using the heavy fist and the heavy hand.

It was only last week or the week before last that I listened to my colleague from Simcoe raise the question, and I heard the Minister of Municipal Affairs and Housing skirt around the question about whether anything was going to happen, how he was going to have consultations, whether the consultations were ongoing and what he was going to be doing. Well, my goodness, this is a fairly complex and large bill with lots of stuff. He must clearly have understood when he answered that question last week that the minister's mind was already made up. I cannot, in my wildest imagination, believe that this bill, from that day to this day, was completely compiled, went through legal and translation, and went through all of the machinations that are required to present it here today. Quite frankly, his mind was made up before, so that when that question was asked, he already knew what he was going to do. In effect, when the good people were here from Innisfil, he held out hope to them, when there was, in fact, no hope to be held out.

This is akin, to my mind, to the forced amalgamations that took place across Ontario a number of years ago, in which my city, the minister's city and other cities were forced into something they didn't want. The people of Innisfil and the people in surrounding Barrie probably do not—not probably; they definitely do not want this and what is happening to them.

What the minister has done today is again produced a winner, Barrie, and a loser: all the other towns and all the other people who live in them. But there are losers as well throughout all the municipalities of Ontario, because every single rural municipality, every single small municipality that is around a larger city, that is in close proximity to a larger city, must have shivers going up and down their spines. Here is a former mayor from Ottawa who knows exactly of what I speak, because you have sent shivers up and down all of their spines by doing what you've done here today.

In the end, the question comes down to the opportunities, whether they're going to be there. I have no idea



what Barrie is going to do with this land, what idea they have in terms of development, but I have no doubt in my mind whatsoever that this minister knows what those plans are because this has been in the works for a long, long time. It's not just something that's come out here today.

1340

**Hon. Monique M. Smith:** On a point of order, Mr. Speaker: I believe we have unanimous consent that five minutes be allotted to each party in tribute to Sam George.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

### SAM GEORGE

**Hon. Brad Duguid:** As I rise today and speak on behalf of the government, and probably all of us here in this Legislature, my words are shared by the Honourable Gerry Phillips and Maria Van Bommel, who have a personal connection to what I'm about to talk about.

It was with great sadness that we learned yesterday morning that Sam George began his spirit journey in the early hours of June 3. He was home at Kettle and Stony Point, surrounded by the love of his family and friends.

It was only six months ago that I had the honour to stand in this Legislature to honour Sam for his tireless efforts and wisdom in helping to build better relationships between our government and First Nations. It was a role Sam hadn't asked for, but one that dominated the last 14 years of his life. Somehow, Sam was able to overcome the inevitable emotions of anger and bitterness over his brother's tragic death and channel his passion into a relentless pursuit of the truth, followed by reconciliation.

From the evening of September 6, 1995, when he got the terrible news that his brother Dudley had died at Ipperwash park, Sam asked only, "What happened, and why?" It was the question that launched the Ipperwash inquiry, an examination of relationships far beyond those between the people and organizations present in the park that tragic night. This is what Sam wanted the inquiry to be, I really think.

Sam found the courage and grace to work with the Ipperwash inquiry and the government to find truth and fairness for his community. I've met few people in my life who could exceed the strength of character demonstrated by Sam at all times in the most difficult of circumstances. His contributions ensured that together, we would find a way to move forward into a new era of healing, reconciliation and peace with First Nations in Ontario. He was a modern-day hero whose legacy will impact future generations.

Sam was tireless in his efforts. He travelled near and far to talk about his experiences and the path he was on in seeking the truth about what happened to his brother. He wasn't used to the mechanisms of a formal inquiry, he told Justice Linden and others, but the elders in his community told him that the answers he sought would come.

Even then, the elders had faith in us, and the answers did come. Sam didn't quit when the inquiry issued its recommendations. He had only just begun to work with us at the Ministry of Aboriginal Affairs, a ministry his passion helped to create, when he was diagnosed with cancer.

I'm grateful to say I was privileged to meet Sam on many occasions, most recently at his bedside following the May 2009 signing of an agreement to transfer Ipperwash Provincial Park lands to the Kettle and Stony Point First Nation. The community had asked for this transfer, and Justice Linden supported this in the inquiry's final report. I'm so glad he lived to see this historic agreement become a reality.

Despite his failing health, Sam was very much with us in spirit that day in the park, and afterwards, he met with many visitors at his home. It was a day of celebration and renewed hope, and Sam was one of those who made it possible.

His goal was never accolades, he told us; his work was dedicated to the respect and honour of his brother's memory. Dudley George gave his life for his people. Sam George dedicated the last 14 years of his life to ensure that Dudley's tragic death did not go unaddressed.

Fourteen years ago, relations between the government of Ontario and aboriginal people were at an historical low. Today, 14 years later, that relationship is at a high point. The sacrifice made by those two brothers and the George family has provided our generation with a historic opportunity to work together to do something our forefathers failed to do.

As we work to eliminate the socio-economic gaps that exist between aboriginal people and communities and other Ontarians, we will do so with the knowledge that Sam's tireless efforts played a critical role in making this possible. His children, grandchildren, and many nephews and nieces will know that their beloved father and uncle changed the course of Ontario history.

Sam has helped to paint a new and brighter future for all of us here in Ontario. Sam's loss will be deeply felt by First Nation people and Ontarians right across this province. At the same time, there's comfort for Sam in his passing. Sam told the Ipperwash inquiry that from the time he got the phone call about his brother, he hurt. He said, "I will hurt until the day I meet with my brother again." So we wish Sam a joyful reunion and peace.

I've had the privilege, as I said, to meet and spend time with Sam's family, and what a generous, kind and loving family they are. On behalf of Premier Dalton McGuinty, on behalf of Sam's very good friends and champions, the honourable Gerry Phillips and MPP Maria Van Bommel, my colleagues here in the Ontario Legislature and all Ontarians, I extend our sincerest condolences to his wonderful wife, Veronica, daughters Tammy and Yvonne, son Donald Jr., Sam's extended family, his friends and the Chippewas of Kettle and Stony Point First Nation.

We've lost a great leader, teacher, visionary and friend.



**Mr. Norm Miller:** It is a privilege to rise in this House on behalf of the Progressive Conservative caucus to pay tribute to Maynard Donald (Sam) George. I would like to start by offering my condolences to the George family.

It was just a little over six months ago that I rose in this House to congratulate Mr. George for receiving the Order of Ontario, Ontario's highest honour. It was through Mr. George's tireless efforts that clarity was brought to the events of September 6, 1995. For all those people who say that one person cannot make a difference, he proved them wrong. As Chief Superintendent Chris Coles of the Ontario Provincial Police testified towards the end of the Ipperwash inquiry—he spoke of Mr. George's character. He said, "Many times I've looked in his eyes. I have no brothers, but I believe sincerely in my heart that if I had a brother, Sam George is an example of a brother I would have liked." That is indeed significant praise for a man whose persistence had put Mr. Coles on the hot seat.

Mr. George revealed that there needs to be better understanding, communication and respect, not only between government representatives and First Nations, but between all Ontarians. His ability to exert bravery and perseverance through difficult times are qualities we have all come to admire. Wayne Samuelson, president of the Ontario Federation of Labour, who nominated Mr. George for the Order of Ontario, stated, "Sam George did not seek revenge, he sought justice. Sam is a man of peace, a shining example for us all."

It is with great sadness we say goodbye to this fine man whose legacy will live on. We thank him for his advocacy for first peoples and for his contribution to this province.

**Ms. Andrea Horwath:** I rise on behalf of my NDP caucus colleagues and all New Democrats across Ontario to pay tribute to Sam George.

Ontarians should always remember September 6, 1995. It was a watershed day in the history of our province, a day on which a group of concerned people from the Kettle and Stony Point First Nation gathered to protest peacefully at Ipperwash Provincial Park in memory of their ancestors. Tragically, events spun out of control and one of those protestors, Dudley George, was shot dead. It's something that never, ever should have happened. It had the potential to cause great upheaval in relations between this province and First Nations peoples. Fortunately for all Ontarians, an unassuming man by the name of Sam George stepped forward. It was his brother who had been shot. Sam decided Dudley's death would not be in vain. In his own meticulous and methodical way, Sam George went about making a profound and lasting difference in the way Ontario treats First Nations peoples.

Sam George was a quiet and a humble man, but a quiet, humble man who made a giant impact. He did not seek to make headlines, but he was determined to achieve justice for his brother, for his people, for all of the First Nations in Ontario. We have much to thank Sam for. He set an example for all of us.

1350

Last December, he was honoured for his work with the bestowment of the Order of Ontario. The tribute, I think we all agree, was richly deserved.

Yesterday, Sam George left us, succumbing to the cancer he had valiantly fought. He leaves his wife, Veronica; his three children, Don, Tammy and Yvonne; a large circle of loved ones and a province filled with admirers.

While Sam was able to achieve justice for his brother, there is now a challenge for each and every one of us in this place and across the province to use Sam's powerful legacy to improve the lives of the First Nations in Ontario. Too many live in deplorable conditions, with inadequate health care and a lack of essential services that the rest of us take for granted. Their children attend schools that are in states of dismal disrepair. Jobs and opportunities are scarce. In fact, even to today, their leaders are jailed for simply defending their land and their rights.

Ontario must do better for the people whose land this truly is. They have shared an enormous gift with us: a magnificent, wondrous place of limitless opportunity and boundless hope. It's a place where everyone should be able to prosper, but we're not there yet. There is much work to be done to get us there, and we have a collective responsibility to get that work done.

The recent transfer of Ipperwash Provincial Park back to aboriginal hands should serve as a powerful symbol of what can be achieved when we set our minds to it. Sam George has shown us the way. He may no longer be leading us, but his memory remains with us. Let's make sure that we pay tribute to that memory, and let's do it by ensuring all First Nations peoples are able to share in the promise of Ontario. It's something that Sam wanted, something that he was extremely passionate about, something that's long overdue. Thanks to Sam George's leadership, it's something that we will get done. I trust absolutely that that's the case.

**The Speaker (Hon. Steve Peters):** I'd ask all members and our guests to please rise as we observe a moment of silence in memory of Sam George.

*The House observed a moment's silence.*

**The Speaker (Hon. Steve Peters):** Thank you.

## PETITIONS

### TAXATION

**Mr. Norm Miller:** I have a petition signed by hundreds of people, to do with the McGuinty merged sales tax. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% harmonized sales tax will be applied to products not previously subject to provincial



sales tax such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services; and

"Whereas rural and northern Ontarians will be particularly hard hit by the harmonized sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should remove this harmonized sales tax from its 2009-10 budget."

I've signed this petition and I give to Matthew.

### ONTARIO PHARMACISTS

**Ms. Cheri DiNovo:** "To the Legislative Assembly of Ontario:

"Whereas physically present pharmacists have served the Ontario public well over the years by ensuring high levels of safety and care, the requirement for the physical presence of a pharmacist to operate a pharmacy and compound, dispense or sell a drug in a pharmacy should be left intact to protect the public interest;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the laws requiring the physical presence of a pharmacist to operate a pharmacy and compound, dispense or sell any drug in a pharmacy be left intact; specifically, clauses 146(1)(a) and (b), and 149(1)(a), (b), (c), (d) and (e) of the Drug and Pharmacies Regulation Act be left intact and unchanged, and legislation should not be introduced which undermines the protections and service offered by physically present pharmacists."

I agree with this and give it to Ajoy for delivery.

### MULTIPLE MYELOMA

**Mr. Kevin Daniel Flynn:** I've got a petition today from Merv Smith who, despite serious health challenges, has 305 signatures on the petition, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Health Canada has approved the use of Revlimid for patients with multiple myeloma, an incurable form of cancer; and

"Whereas Revlimid is a vital new treatment that must be accessible to all patients in Ontario for this life-threatening cancer of the blood cells; and

"Whereas multiple myeloma is treatable with the proper therapies, thereby giving hope to the 2,000 Canadians who are diagnosed annually;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Immediately provide Revlimid as a choice to patients with multiple myeloma and their health care providers in Ontario through public funding."

I agree with this petition and will sign it.

### TAXATION

**Mr. Jim Wilson:** I want to thank Mr. and Mrs. Sondergaard for sending me this petition.

"Whereas the hard-working residents of Simcoe-Grey do not want a harmonized sales tax ... that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for, to name just a few, gasoline for their cars, heat, telephone, cable and Internet services for their homes, house sales over \$400,000, fast food under \$4, electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snowplowing, air conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, vet bills, bus fares, golf fees, arena ice rentals, moving vans, grass cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

"Whereas the blended sales tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I agree with this petition and I will sign it.

### AUTOMOBILE INSURANCE

**Mr. Michael Prue:** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Financial Services Commission of Ontario (FSCO) released the Report on the Five Year Review of Automobile Insurance to the Minister of Finance on 31 March 2009, and that this report contains recommendations for changes to automobile insurance, and that the Minister of Finance is considering adopting the FSCO recommendations; and

"Whereas the FSCO recommendation (number 22) to reduce the cap for medical and rehabilitation benefits for non-catastrophic claims from \$100,000 to \$25,000 will deny further access to reasonable and necessary assessment and treatment, undermining a return to functional independence and gainful employment, and increase the burden on the social welfare system (i.e., OHIP)—and it goes on; and

"Whereas the FSCO recommendations (numbers 15 and 21) to have assessment requests and treatment plans completed only after a referral is made by the health professional primarily responsible for the claimant's rehabilitation (in most cases a family physician) will further burden the OHIP system and already overextended family physicians, undermine timely access to treatment, and is prejudicial against some 800,000 Ontarians without a family physician; and



"Whereas the FSCO recommendation (number 20) to revoke section 42.1 of the SABS, which allows claimants to obtain an assessment from their health care provider (known as the rebuttal report) to address issues raised in an insurer examination, will remove all balance from the system; and

"Whereas the FSCO recommendation (number 29) to make housekeeping and home maintenance expenses and caregiver benefits optional, is prejudicial against women who traditionally assume these roles, and single-parent families;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to oppose adoption of the FSCO recommendations by the Minister of Finance."

I am in agreement and have signed my name thereto.

### POST-SECONDARY EDUCATION

**Mr. Lorenzo Berardinetti:** I have a petition that's addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the McGuinty government has committed \$27.7 million in new infrastructure funding for Centennial College, located in the riding of Scarborough Southwest and other parts of Scarborough;

"Whereas this money is committed to improving and enhancing post-secondary education in Scarborough and across Ontario by offering state-of-the-art technology that will facilitate cutting-edge, world-class learning opportunities in the form of a state-of-the-art library;

"Whereas these opportunities will equip our youth and retrained workers to be at their competitive best when companies seek employees to fill new-economy jobs;

"Whereas these types of initiatives are part and parcel of a larger economic plan that will bring new high-paying and sustainable jobs to Ontario;

"We, the undersigned, therefore request the McGuinty government to continue to continue to follow this approach when it comes to its long-term economic plan for Ontario."

I agree with the petition and affix my signature to it.

1400

### PENSION PLANS

**Mr. Jim Wilson:** "To the Legislative Assembly of Ontario:

"Whereas several paramedics in Simcoe county had their pensions affected when paramedic services were transferred to the county of Simcoe, as their pensions were not transferred with them from HOOPP and" the OPSEU Pension Trust "to OMERS, meaning they will receive significantly reduced pensions because their transfer did not recognize their years of continuous service; and

"Whereas when these paramedics started with their new employer, the county of Simcoe, their past pensionable years were not recognized because of existing pension legislation; and

"Whereas the government's own Expert Commission on Pensions has recommended that the government move swiftly to address this issue; and

"Whereas the government should recognize this issue as a technicality and not penalize hard-working paramedics;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Finance support Simcoe-Grey MPP Jim Wilson's resolution that calls upon the government to address this issue immediately and ensure that any legislation or regulations allows paramedics in Simcoe county who were affected by the divestment of paramedic services in the 1990s and beyond to transfer their pensions to OMERS from HOOPP or OPTrust."

### PROFESSIONAL HOCKEY FRANCHISE

**Mr. Jeff Leal:** I'm pleased today to introduce a petition on behalf of Cheryl Foster, of Chelsea Crescent in beautiful Stoney Creek, Ontario. She must be a great hockey fan.

"To the Legislative Assembly of Ontario:

"Whereas Maple Leaf Sports and Entertainment has the highest average ticket revenue per game in the National Hockey League; and

"Whereas the Toronto Maple Leafs are ranked the most financially valuable team in the NHL; and

"Whereas many Hamilton and greater Toronto area hockey fans are unable to attend professional hockey games due to a lack of adequate ticket supply; and

"Whereas the Hamilton and greater Toronto area boast the biggest and best market in the world for hockey fans, with Maple Leaf Sports and Entertainment bringing approximately \$2.4 billion to the local economy over 10 years; and

"Whereas a new franchise in the Hamilton and greater Toronto area is valued at \$600 million by some economists; and

"Whereas competition in both business and sports is healthy for both the Hamilton and greater Toronto area economy and sports team performance; and

"Whereas, despite having the most loyal fans in the world, the Toronto Maple Leafs have not won the Stanley Cup in over 40 years; and

"Whereas Hamilton and greater Toronto area fans deserve competitive professional hockey teams;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To request that the government of the province of Ontario express its strong support to the board of governors of the National Hockey League for the relocation or expansion of a second NHL hockey team in the Hamilton and greater Toronto area in order to realize the economic advantages to the taxpayers of the province of Ontario and to provide healthy competition to the existing Toronto NHL franchise."

I agree with this and will affix my signature to it.

## TAXATION

**Mr. Ernie Hardeman:** I have a petition to the Legislative Assembly of Ontario, signed by a great number of my residents and, it appears from other petitions, by a lot of residents throughout Ontario.

"Whereas residents in Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I affix my signature, as I agree with the petition.

## AIR QUALITY

**Mr. Charles Sousa:** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and determined that the Clarkson, Mississauga, airshed study area was taxed for respirable particulate matter (PM2.5); and

"Whereas the average annual PM2.5 concentrations measured in the Clarkson airshed were among the highest found when compared to data obtained from the ministry's air quality index monitoring stations; and ...

"Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and ...

"Whereas the MOE stated that industrial emissions may contribute as much as 25% of the PM2.5 concentrations in the Clarkson airshed study area; and

"Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

"Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact the Clarkson airshed study area."

I affix my signature and provide it to Rebecca.

## COSMETIC PESTICIDES

**Mr. Toby Barrett:** This is entitled Scrap the Cosmetic Pesticide Ban:

"Whereas the cosmetic pesticide ban will eliminate control measures available to control invasive insect species, invasive weeds and noxious weeds, forcing control measures to be adopted which are more expensive and far less effective; and

"Whereas all products being banned have already been approved by the PMRA (Pest Management Regulatory Agency) process for public safety, a method of application, classification and distribution;

"We, the undersigned, petition the Legislative Assembly of Ontario to not ban cosmetic pesticides for Ontario consumers."

Speaker, on behalf of my colleagues could we ask for a five-minute extension, being that it's the last day. There are a couple more petitions.

**The Speaker (Hon. Steve Peters):** Agreed to extend petitions by five minutes? Agreed.

## PROFESSIONAL HOCKEY FRANCHISE

**Mr. Bob Delaney:** I know the Speaker will be disappointed, but I'm fresh out of ambulatory surgery centre petitions. So today, on behalf of my colleague from Oakville, I'd like to support him with this petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas Maple Leaf Sports and Entertainment has the highest average ticket revenue per game in the National Hockey League; and

"Whereas the Toronto Maple Leafs are ranked the most financially valuable team in the NHL; and

"Whereas many Hamilton and greater Toronto area hockey fans are unable to attend professional hockey games due to a lack of adequate ticket supply; and

"Whereas the Hamilton and greater Toronto area boast the biggest and best market in the world for hockey fans, with Maple Leaf Sports and Entertainment bringing approximately \$2.4 billion to the local economy over 10 years; and

"Whereas a new franchise in the Hamilton and greater Toronto area is valued at \$600 million by some economists; and

"Whereas competition in both business and sports is healthy for both the Hamilton and greater Toronto area economy and sports team performance; and

"Whereas, despite having the most loyal fans in the world, the Toronto Maple Leafs have not won the Stanley Cup in over 40 years; and

"Whereas Hamilton and greater Toronto area fans deserve competitive professional hockey teams;



"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To request that the government of the province of Ontario express its strong support to the board of governors of the National Hockey League for the relocation or expansion of a second NHL hockey team in the Hamilton and greater Toronto area in order to realize the economic advantages to the taxpayers of the province of Ontario and to provide healthy competition to the existing Toronto NHL franchise."

What a great idea. I'm pleased to sign and support it, and to ask page Ajoy, on his last day with us, to carry it for me.

### TAXATION

**Mr. Gerry Martiniuk:** I have a petition provided to me by Century 21 Watson Realty and Re/Max Real Estate Centre Inc. It reads:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the largest tax hike in Ontario's history, but he still cuts health care services and nurses;

"Whereas Dalton McGuinty will increase taxes yet again on Canada Day 2010, with his new ... combined GST, at a time when families and businesses can least afford it;

"Whereas Dalton McGuinty's new 13% combined GST will increase the cost of goods and services that families buy every day, such as: coffee, newspapers and magazines, gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations, veterinary care, arena ice..., Internet fees, theatre admissions, funerals, courier fees, fast food sold for" under \$4, "bus fares, golf greens, gym fees, snowplowing, bicycles, taxi fares, train fares, domestic air travel, accountant services and real estate commissions;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Dalton McGuinty wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

As I agree with this and support it, I sign it and provide it to David.

1410

### EMPLOYMENT INSURANCE

**Mr. Mike Colle:** I've got a petition on behalf of Ontario's unemployed workers.

"Whereas the federal government's employment surplus stands at over \$50 billion; and

"Whereas over 70% of Ontario's unemployed are not eligible for employment insurance because of Ottawa's unfair eligibility rules; and

"Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers" in all the other nine provinces; and

"Whereas the average Ontario unemployed worker gets"—listen to this—" \$4,000 less in EI benefits than unemployed workers in other provinces and thus, unemployed are not qualifying for many" of the federal programs other unemployed workers get in the other provinces;

"We, the undersigned, petition the Legislative Assembly of Ontario to press" Stephen Harper and "the federal government to reform the employment insurance program and to end the discrimination and unfairness towards Ontario's unemployed workers."

I'm in solidarity with Ontario's unemployed workers, and I affix my name to this petition.

**Hon. James J. Bradley:** I want to sign that petition.

**Mr. Mike Colle:** The Minister of Transportation wants to sign also.

### HEALTH CARE

**Mr. Robert Bailey:** This petition has over 2,000 names and is to the Legislative Assembly of Ontario.

"Whereas the Ministry of Health and Long-Term Care adequately funded Charlotte Eleanor Englehart Hospital in Petrolia to maintain its emergency room and not redesignate it as an urgent-care centre; and

"Whereas Ministry of Health and Long-Term Care should recognize the importance of rural health care in Ontario; and

"Whereas the Petrolia medical community has stated that the loss of the Petrolia emergency room will result in the loss of many local doctors; and

"Whereas the rural communities should be provided access to the same level of emergency medical care as those in urban areas;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately transfer funding to allow the recruitment of additional medical staff and renovations suggested in the Hay Group report, to ensure continued emergency medical services to the Lambton county rural community."

I agree with this and affix my signature.

### PROFESSIONAL HOCKEY FRANCHISE

**Mr. Jeff Leal:** I'm pleased to present a petition today on behalf of Gary Foster in Hamilton, Ontario, who obviously wants a hockey team moved to his hometown.

"To the Legislative Assembly of Ontario:

"Whereas Maple Leaf Sports and Entertainment has the highest average ticket revenue per game in the National Hockey League; and

"Whereas the Toronto Maple Leafs are ranked the most financially valuable team in the NHL; and

"Whereas many Hamilton and greater Toronto area hockey fans are unable to attend professional hockey games due to a lack of adequate ticket supply; and

"Whereas the Hamilton and greater Toronto area boast the biggest and best market in the world for hockey fans, with Maple Leaf Sports and Entertainment bringing



approximately \$2.4 billion to the local economy over 10 years; and

"Whereas a new franchise in the Hamilton and greater Toronto area is valued at \$600 million by some economists; and

"Whereas competition in both business and sports is healthy for both the Hamilton and greater Toronto area economy and sports team performance; and

"Whereas, despite having the most loyal fans in the world, the Toronto Maple Leafs have not won the Stanley Cup in over 40 years; and

"Whereas Hamilton and greater Toronto area fans deserve competitive professional hockey teams;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To request that the government of the province of Ontario express its strong support to the board of governors of the National Hockey League for the relocation or expansion of a second National Hockey League team in the Hamilton and greater Toronto area in order to realize the economic advantages to the taxpayers of the province of Ontario and to provide healthy competition to the existing Toronto National Hockey League franchise."

I agree with this petition and will affix my signature to it.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**The Acting Speaker (Ms. Cheri DiNovo):** The time for petitions having expired, I beg to inform the House that, pursuant to standing order 98(c), a change has been made to the order of precedence on the ballot list for private members' public business, such that Mr. Brownell assumes ballot item number 58 and Mr. Hoy assumes ballot item number 67.

Orders of the day.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

##### PENSION PLANS

**The Acting Speaker (Ms. Cheri DiNovo):** Mr. Wilson moves second reading of motion number 100.

Mr. Wilson for a statement up to 12 minutes.

**Mr. Jim Wilson:** I just want to introduce the resolution first, Madam Speaker:

That, in the opinion of this House, the government of Ontario should immediately adopt the recommendation from the government's Expert Commission on Pensions that says, "The government should promptly address the pension arrangements for groups of public service employees affected by past divestments and transfers, whether by allowing these groups to use the group asset transfer process proposed in recommendation 5-4, or by other means, including negotiations with their rep-

resentatives," and ensure that any resulting legislation or regulation allows paramedics in Simcoe county who were affected by the divestment of paramedic services in the late 1990s and beyond, to transfer their pensions to OMERS from HOOPP or OPTrust, ensuring that these paramedics are not penalized.

**The Acting Speaker (Ms. Cheri DiNovo):** Pursuant to standing order 98, the member has 12 minutes for his presentation.

**Mr. Jim Wilson:** Speaker, may I begin by thanking you for filling in for me today so that I could introduce my resolution and speak to it, in doing the Acting Speaker duty.

I'm pleased to rise to speak to my resolution, one that, if accepted, would correct what I would term as an oversight regarding the pensions of hard-working paramedics in Simcoe county and throughout Ontario. For me it's an issue that I hope we can begin to resolve today.

Before I begin, I want to acknowledge the presence of a number of Simcoe county paramedics who are in the gallery today. They are David Coursey, Greg VanRooyen, James Besley, Robert Lewis, Douglas Osmond, Chris Bischof and Bryant Lucas. These are the faces of our local emergency services. They are the people who provide round-the-clock emergency services to our communities, friends, neighbours and families. They are the people who work indoors and outdoors under a variety of weather conditions and under threat of a variety of risks, including exposure to diseases. It is also work that is physically and emotionally demanding, whether they are transporting patients, responding to emergencies or dealing with critically ill or injured individuals.

The list of duties they perform and the qualifications they have is lengthy. It's important to recognize the significant role these individuals play in our communities, and it speaks to why these people are so deserving of our help here today.

As an aside, I personally had the opportunity to avail myself of Simcoe county paramedic services when I was transferred one week ago today from the Royal Victoria Hospital in Barrie to Southlake hospital in Newmarket. I want to take this opportunity to thank paramedics Ian and Mike for all their help.

I first met Dave Coursey in my Collingwood office a few months ago. He came in with Carl Eichenberger, a local OPSEU representative who's also with us in the gallery here today, to tell me about the problem that he and about 30 other paramedics in the county have with their pensions. In that meeting, Dave told me that he's been a paramedic in Simcoe county for the past 35 years. For 25 of those years, his employer was Royal Victoria Hospital in Barrie. As many members in this House will recall, in the late 1990s and early 2000s paramedic services were divested or transferred from the province to upper-tier municipalities. In our area, it was from places like Royal Victoria Hospital or the Orillia ambulance service to the county of Simcoe. So on December 31, 2000, Dave was given notice of termination from RVH. He then applied for the position of operations supervisor



at the county and was successful. He began his new job the very next day, on January 1, 2001.

This is where the issue gets tricky. While working at RVH for 25 years, Dave paid into the Hospitals of Ontario Pension Plan, or HOOPP for short. When he started with the county, he was enrolled in OMERS, the Ontario Municipal Employees Retirement System. When Dave moved from one employer to the next, he figured his pension would move also, but it didn't. He was told the funds could not be moved because they were divested, and that because of provisions in the Pension Benefits Act, there was nothing he could do about it. Needless to say, this caused a considerable amount of concern for him and many other paramedics in similar circumstances.

If their pension funds are not allowed to be transferred from one plan to another, then they will receive two pension cheques, once they retire, at a significantly reduced amount because their transfer from one employer to the other does not recognize their years of continuous service. In other words, after 25 years as a paramedic, Dave Coursey and many other paramedics had to start all over again with new pension plans. To quote from a letter that Dave wrote to me:

"I have consulted with both providers numerous times. On every occasion, everyone is in agreement with me—not only is my predicament unfair, it is wrong. As it stands, I will have to work at my present capacity for the next 14 years. This would give me over 47 years of service."

Dave is right. The pension providers do largely agree. Let me read from the HOOPP submission to the government's own Expert Commission on Pensions:

"The Pension Benefits Act should be improved to enhance the opportunities to transfer the accrued defined pension benefits of Ontario workers without serious loss of value when they change jobs or employers. Some of the most important areas of concern for HOOPP are the questions of pension benefit coverage and portability. HOOPP would welcome changes that will bring greater clarity to the portability rules to provide greater opportunities for plan members to preserve the value of their" pension "benefits when they change jobs and pension plans, including as a result of their employer's divestment or merger."

Their submission even goes on to say, "The example of ambulance workers is a good illustration. Many ambulance workers, as a result of health care restructuring, are forced to change pension plans every few years (i.e. each time a supplier contract ends). They are frequently left with no realistic chance to consolidate their pension service."

1420

Then there was OMERS. They were nice enough to come to my office and to meet with Dave and me just recently. I want to thank Tracey Ball and her colleague from OMERS for coming in to explain their position in greater detail. We appreciated that very much. Let me quote from their submission to the commission:

"With the increase in government divestment activity over the last decade, administrators and members of affected public sector pension plans have become concerned and frustrated about the negative impact of current Financial Services Commission of Ontario ... policy on their ability to negotiate and consent to group interplan asset transfers."

They go on to say, "Many public sector employees are affected by this issue and many have been waiting for a number of years for plan administrators, the regulator and/or the provincial government to address it."

The OMERS submission goes on to state—and I know my colleague from Oxford is going to speak on this issue in his remarks: "The provincial government has recognized and responded to these concerns, with limited effect, by amending the Police Services Act to permit the administrators of the public service pension plan and OMERS to enter into one or more asset transfer agreements in respect of eligible police force employees whose employment has been transferred between a municipal police force and the Ontario Provincial Police. This step is to be commended, but more remains to be done to address this issue facing the major Ontario public sector pension plans."

So we have agreement from HOOPP and OMERS and the OPSEU pension trust that this issue should be addressed through their submissions to the government's own Expert Commission on Pensions.

Let me take a moment to tell you what the commission itself had to say on this issue. Their final report reads:

"Problems associated with asset transfers have given rise to significant controversies in the public and broader public sectors. During the late 1990s, the provincial government 'divested,' or transferred, some 10,000 employees from one agency, or level of government, to another or to the private sector. Very few of these employees benefited from asset transfers. Indeed, some of them continued to do the same job in the same place, but were told that their future pension accruals would be in a different plan. These individuals will receive pension benefits that are lower than they would have been if all of their service credits and associated pension assets had been transferred to their new plan. Unfortunately, as noted, then- and still-prevailing rules preclude asset transfers if even relatively minor differences exist between the new and old plans."

It is that statement which gets to the heart of the issue here today and that led to this recommendation from the commission. The commission recommended: "The government should promptly address the pension arrangements for groups of public service employees affected by past divestments and transfers, whether by allowing these groups to use the group asset transfer process proposed in recommendation 5-4, or by other means, including negotiations with the representatives."

That is what I'm asking the government to do today: to implement the recommendation of their own expert commission on pensions. Doing so would resolve this matter once and for all and allow people, like those in the



gallery here today, to be treated fairly and equally. It's my hope that any initiative by the government includes these paramedics who either had pensions at HOOPP or in the OPSEU pension trust, and who are now enrolled in OMERS.

I should add that earlier today I introduced a bill in this House, the Pension Benefits Statute Law Amendment Act, that would, if passed, allow any employee to consent to the transfer of pension assets and require pension plan administrators to enter into an agreement on the transfer of benefits. It's modelled after the amendments that were made with respect to the pensions of police officers through the Police Services Act, and it would address this issue. I tabled it to give the government an option for resolving the issue.

Finally, I want to say that I don't really see this as a partisan issue. I do recognize that the divestment of these services mainly occurred under the previous government. I don't think the resulting pension issue was intentional, though. I served in cabinet at the time, and I can honestly say that I wasn't aware of the issue until Mr. Coursey brought it to my attention some months ago. I believe it was an oversight and one that can and should be rectified by this Legislature. After all, that's our job.

It's important to note that this issue affects people across the province and not just in my riding. Others affected include 100 paramedics in Frontenac, 110 in Hastings-Quinte/Prince Edward county, 60 in Leeds and Grenville, 15 in Dufferin county and 28 in Grey county, and those are just the ones that I know about. It's not right to penalize hard-working paramedics because of a change of employer in which they had no say. I ask all members to support this resolution and/or my private member's bill to bring justice to the issue once and for all, to bring it to closure and allow these ladies and gentlemen to retire, recognizing their full continuous years of service. After all, many of them are reaching 35 years of service—and more, in some cases. They deserve to have the proper pension. After all, that's what they signed on for when they signed on to be paramedics, to go through extensive training and to risk their lives, their health and their backs—which often go to help us, our friends and neighbours in our time of need. So let's help them in their time of need.

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Further debate?

**Mr. Michael Prue:** I listened to my colleague and his motion. First of all, for the record and for the people who are intently listening to this here today, this is a motion. Unfortunately, it does not bind the House—it binds the House but not the government. But I think it's a timely motion and it's a motion that we need to debate in terms of fairness.

A long time ago—I guess, a generation or two ago—there was much discussion in this House about having a portable pension, an Ontario pension. It was a wise old man of Ontario, Leslie Frost, who was then the Premier, who talked about having a pension for all. He went along with that idea for many years, trying to develop it so that

every person who worked in Ontario would have a pension and that pension would follow them from job to job; so that if your job, as has happened to the people who are here today, was transferred from one level of government to another or from one ministry to another, from one ministry to the private sector or anything else, that pension and the portability of that pension would follow.

Leslie Frost gave up on his idea at the time when the Canada pension became law, because he saw that the Canada pension would usurp. He was hoping that the Canada pension would be able to handle the needs of the people of Ontario, as well as all of those across Canada.

I think people in this country are very appreciative of the Canada pension. It surely has been upgraded and updated to make sure that when you retire at the age of 65—and most people do, or even if they don't retire, they start getting their pension then—there is a sum of money that flows in, that makes sure that you do not live in abject poverty. In fact, a number of years ago now when there were stories of seniors who were forced to eat dog food and live in very trying circumstances, the government of the day saw fit, and rightly so, to increase the Canada old age pension to make sure that that was not the case.

Today we are seeing some other phenomenon. We are seeing the phenomenon of people who have paid into pensions their entire lives suddenly seeing that those pensions are becoming valueless. We have had debates in this House; we've had motions and e-mails and petitions talking about the pensions that are being lost. The most classic one that is talked to and about is the General Motors pension, or the pension in the Big Three auto that people paid into literally their entire lives and have now seen devalued to the point that it's nearly worthless. We've seen the government forced to come to their aid, and much of the \$3.2 billion that has been earmarked from this government to the Detroit Three is going towards pensions.

Certainly I agree with my colleague that we need to do something to help the workers who are here today, but I also look to how they found themselves in this circumstance in the first place. I want to cast no aspersions, but clearly it should have been something that the government of the day, when they transferred workers from one jurisdiction to another or privatized some of them, should have looked at. I was not here, but I know my colleague was, and he's signalling—I'm not saying it in a nasty way. It's something that should have happened, and it did not happen. I don't know what the Harris government was thinking when they were doing this, or maybe they just assumed everything would work out, but in fact it hasn't.

I know that people who transfer from one kind of job to another, who pay into one kind of pension plan and then another, oftentimes find that the two are incongruous and that they cannot be combined. They cannot extend the life. I do know, in my own case, I was a federal civil servant for more than 20 years. I paid into



the federal civil service's superannuation plan and was expecting to get a pension out of that. Lo and behold, something wonderful happened: I got elected full-time to be the mayor of East York and had to quit the federal civil service. In East York we did not have a gold-plated pension. As people who worked for the municipality, we were entitled to the same pension, which was an OMERS pension, that the workers had, the same people who collected the garbage, the same people who worked behind the counter. Whatever we earned, we paid into that pension at the same rate and were entitled to a pension or a portion after our years of service.

1430

I tried to transfer, I remember, my federal civil service pension of some 20 years into the OMERS pension so that I could collect one pension in the end and was told that it could not happen; I wished it could have. It's not the same as the gentlemen here, because they didn't leave one job; they stayed in the job. I changed jobs, from working in the immigration department to being a mayor and then later to be at the megacity of Toronto. But my pensions could not flow and could not follow. I think that was a shame because, in order for it to work correctly and for people to understand the value of their pension and to see it accrue after many years of working, it is absolutely essential that we have one pension that flows and follows with them, particularly in the cases where they continue to work at the same job. Nothing changed except the name of their employer; nothing changed, not even the place they worked, not even who their boss was, not even to whom they reported—nothing. It makes no sense to me that they are in a circumstance today where they're going to have to be collecting two separate pensions. They haven't been melded; they haven't been worked together.

Certainly, the Arthurs report—and I go back to the Arthurs report, which was put forward to this Legislature a month or two months ago now—set out a number of things that needed to happen. The Arthurs report, and I have a note here about it, in 5-4, “addresses” the “asset transfers on a going-forward basis” but does not act “retroactively.” The recommendation is not retroactive; I think it needs to be.

Although it does not bind the government, I think all members of the Legislature need to understand that the people who are here from EMT—and from other organizations, I'm sure, in the future, that are going to come forward and are worried about their pensions—need to have the support of this Legislature. They need to understand, and we need to understand on their behalf, that the changes need to be made in order to secure that. We cannot send them away from here today thinking that this Legislature is cold or unsympathetic to what they're trying to do. In fact, all they are asking for is something that they have paid into their entire working lives and that their employers, whether it be the provincial government, whether it be a branch of the provincial government, transfer to municipalities, transfer to the federal government—there's all of this going on—or to the private sector, they, too, need to be onside.

The pensions need to be protected, they need to be regularized and they need to flow so that a person, when they turn 60 or 65 years of age, will know at the time they are retiring that their pension is secure, what they have paid into they're going to get and can retire in dignity and honour, the same kind of dignity and honour that they gave us all of their working lives.

I support my colleague. I support what he's trying to do. I'm not sure of all the nuts and bolts, but this is a motion, after all. I ask the government to listen to the House if the House passes this today and for the government to do everything necessary with the auditors and everything else to bring this to fruition.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Wayne Arthurs:** Thank you, Speaker, for the opportunity. Just before I begin with respect to the motion we have before us, I have some brief remarks. I don't often have an opportunity on Thursday afternoon when the House is rising for an extended period to say to folks who are here, our members and certainly the staff that work on all of our behalfs to enjoy some downtime during the summer as well as the work they will continue doing in their ridings as members and as committees travel about, doing things like that. I wanted the opportunity to say that at this point, particularly as we're almost in mid-mandate, I guess, for this government, as it turns out.

I want to spend the few minutes that are allocated to me to speak to the member's motion. When I first arrived here, I was working then with the Chair of Management Board, now the Ministry of Government Services. I recall in those early days being approached by then-GO Transit workers in regard to their pensions and the transfer of those from the Ontario public service to OMERS. I think that was the direction. I've kind of lost track of where that went. Maybe it was from OMERS back to OPS, but regardless, I don't think the issue is probably substantively different in the context of the movement of employees from one organization to another and the capacity of moving those pension provisions that were related to those. So I'm aware of the concern that those who are in the field have with protecting their pension rights, protecting the capacity to move those and protecting their ability to take advantage of provisions for early retirement and all of those things that go with it. I'm certainly sympathetic to the position that our EMS folks and others in the public sector have.

I think it's timely, obviously, that we have this kind of a discussion, because it's not the first time in this place in the past number of months that we have been discussing pensions, whether those were pensions in the private sector directly through dealing with the auto sector, whether it was a broader discussion about the need for a national conversation around pensions, the Premier's efforts to engage the federal government in a broader pension discussion, or the Minister of Finance with his colleagues recently. I think it continues to be timely to have the discussion that we're having here.



Having said that, I'm not going to be supporting the motion we have before us today. I'll tell you the principal reasons for that. It's not reflective of the folks that the member opposite has identified in particular within his resolution as a primary driver for bringing this forward, because it's been brought to his attention through them, and it has little, if anything, to do with the divestment that happened earlier and whether or not that should have occurred then, because we do have to continue to work through these issues and find a resolution to them. I think the primary concern I have with the resolution today is the sense, for me, that the motion would speak to this Legislature, although not committing the government by virtue of the motion, but committing this Legislature to say to the government that they should immediately adopt the recommendation of the government's expert commission. This is a comprehensive piece of work done by the expert commission under the directorship of Professor Harry Arthurs to bring forward thoughtful recommendations that government should consider. But as we all know, government needs time, sometimes more than we would like, to give consideration to recommendations that are brought forward and for stakeholders to provide feedback on those for government consideration.

Though I am not at all averse to what the member is suggesting we do in the context of ensuring that elements of that report get a sense of urgent consideration in the broad sense of pension reform, I'm not in a position, as a member of this place, to suggest to government that they should immediately adopt the recommendations of that commission with respect to even just one element of it, let alone the broader range of recommendations that the commission brought forward.

There were, I believe, some 127 submissions to that. There are 142 recommendations in that report, and to begin peeling off the one-off recommendations I don't think is in the interest of pension reform. We have done things within the budget context in the matter of pension reform, including locked-in pension funds. There was a commitment in the fall of this year, as I understand it, from the Minister of Finance to bring forward a report and recommendations with respect to pension reform. As I understand, that's the intention. I very much hope that our debate today will provide him with information, through Hansard, to take this under advisement as a matter that he may—and should—give consideration to in his consideration of recommendations in the discussion this fall.

I have to say to the member opposite that the sense of urgency about immediate adoption is something that I, as a member of this caucus, cannot support this afternoon. But I want to thank you for bringing it forward and drawing it to all of our attention.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Ernie Hardeman:** I want to start by congratulating the member from Simcoe-Grey on bringing forward this resolution and supporting his local paramedics. These are people who have contributed to their pension

in good faith over the years and are now stuck in a bureaucratic situation that is threatening the level of their retirement.

This is just one example of the great job that the member from Simcoe-Grey is doing in advocating for his riding, and I want to commend him for that. Over the past couple of years, he's been a vocal supporter of causes such as preserving the Banting homestead and reopening the birthing unit at the Stevenson Memorial Hospital.

**1440**

I also want to take a minute to recognize and thank the paramedics who are in the audience here today for the good work they do, and as the member from Simcoe-Grey pointed out, in this case the good work that they do for him personally. I'm starting to think that this whole resolution may very well be somewhat of a payback for a job well done. We thank you very much for that.

In Ontario we are lucky to have such dedicated and professional people we can depend on who are there when we need them. Often we don't see the paramedics unless we're facing a crisis, so we don't have the opportunity to stop and tell them how much we appreciate what they do. I know for many years I've been going with the fire department to where people were hurt in automobile accidents, and the paramedics are always there to help and make the pain go away for a lot of people. At that time, you don't get the opportunity to say thank you, so I'm happy to be able to do that here today. I want to do that not only on behalf of those of us here in the Legislature but also on behalf of the people I represent in Oxford county, and in fact the people all over Ontario.

As the member for Simcoe-Grey explained in his remarks, this is all part of the realignment of services, of the delivery of ambulance services, when it was moved from the province to the municipalities. There was a variation in how it was provided before, so it doesn't affect all the paramedics in the province, because some of them were working for the Ministry of Health, and some were working for private contractors, and they were shielded somewhat from the impact of this. But the vast majority of the paramedics were covered by this, and this is what caused the problem.

The problem these paramedics are facing is that their new employer is part of a different pension plan, and current law doesn't allow their pension assets to be transferred to the new plan. If this cannot be corrected, it means that these paramedics will end up with two pension plans, as was mentioned, but likely the two parts will not provide the same support and benefits as the single pension that they were originally contributing to. I think the key point to look at is that this is not a personal choice of the paramedics or a personal choice that they made to change their jobs. They are doing exactly the same job they were doing before. Responsibility was shifted, and the fact that government shifted the responsibility for service should not negatively impact anyone's retirement. In fact, it surely shouldn't affect the paramedics who are being impacted.



I know that a lot of people in Ontario don't have a pension. In fact, the member from Beaches—East York was talking about his pension working for the federal government and his pension working in municipal government. When I worked in municipal government, I had no pension. Before I worked for municipal government, I had no pension. Now that I work in the provincial Legislature, nothing has changed. That doesn't mean we shouldn't look at the changes that have taken place on behalf of these paramedics through no fault of their own.

Let me give you some examples of the problems they're facing. Let's say the original pension allowed you to retire with a 90 factor. That means that when your years of service and your age combined reach 90, you retire with a pension. Someone who is 60 years old who has been a paramedic for 30 years would receive a pension. That same person in this situation—the paramedic might have 25 years with one pension plan and then five years with the other. Because the service is in different pension plans, all of a sudden he no longer qualifies for the 90 factor and, incidentally, he never will, I'm afraid. As a paramedic, he can't work that long to retire a second time with a 90 factor. He now has to work an extra five years simply because responsibility for the paramedic operation changed. That just doesn't seem fair. Because of this switch, he's unlikely to get enough hours in either pension. The two plans calculated together will not amount—and I think that was mentioned by the member from Simcoe—Grey—to the same pension they would receive if it were all in one pension, because of course the result at the end of the pension is calculated based on the highest earning years, and the highest earning years are never in the first half of a working career. So, obviously the first pension will come back at a much lower rate than the second part of the pension.

This isn't just a paramedic issue. The problem we're talking about today and the solution that we need today are for the paramedics, but all the other transfers of services had the same problem.

For instance, a situation occurred in Tillsonburg, in the south end of my riding, with the Tillsonburg police services. They were replaced by the OPP, and of course the pension changed. John Murray, the former Tillsonburg Police Association president, gave an example of an individual with 30 years of service who was facing a shortfall of \$8,700 per year, compared to either a municipal or an OPP officer with similar years of service. Again, if their service was not interrupted, that first individual would make \$8,700 a year more on their pension.

In fact, the hospitals of Ontario pension plan, in a submission to the Ontario Expert Commission on Pensions, said the effect of receiving pension cheques from two or more pension plans "often means affected members eventually receive smaller pension benefits, particularly if their highest earning years occur in the successor plan"—which is almost certain to happen. "This can occur because a member ends up receiving pension income from two or more pension funds"—and there are

cases where that's happening—"because the benefit is typically based on a final average earnings formula, the sum of the parts are often less than the whole benefit that the member would otherwise have been paid if the member had stayed in one plan."

There are other details that will need to be worked out to ensure that transfer of the pension assets is achieved, to be fair to both pension plans. Of course, that's a challenge. We also need to make sure that the second pension plan doesn't become responsible for all kinds of liabilities, in the transfer, that the first plan has got the contributions for.

We had a similar situation with pension transfers in my riding of Oxford, with the Ingersoll police force. Again, the transfer was to the Ontario Provincial Police, which put them into another pension plan. In the case of the police department's agreement, police officers who transfer between municipal and OPP can also transfer their pensions, and that was spoken to earlier; that they actually changed the police pension plan to allow the transfer of assets. However, as you will note in the situation in Ingersoll, there was a difference between the pension contribution that resulted in the municipality and the police officers sharing—between the plan that they had and the plan that they were going to. So in order to even that out, there was a cost that had to be bought back into the plan, and in negotiations the municipality and the police officers jointly paid the difference that was required to pay into the police plan, and in fact, their whole plan was changed over.

Whatever solution is allowing the transfer, you have to leave enough flexibility so that it works for different pension plans in different ways. Some will be transferred up to a more lucrative, shall we say, a greater-benefit plan, and others will go down to where there are not quite as many benefits. But the truth is that they have to come out fair, and they have to come out to the plan, at the choice of the individual who has been involved with it.

Another area where it occurred was with the community care access centres. They were also transferred from municipal to the OPSEU pension plan, not the OMERS plan. They ran into exactly the same problem.

I just wanted to say at the end of it that the issue is something that has affected numerous groups over the years and is a situation that will probably occur in the future. While the problem has been resolved with the police force—and I would suggest that as we look at the resolution today and give direction to the government to look at making the changes; even as the member from Simcoe—Grey said, he introduced a bill today, similar to the Police Services Act, that will solve this problem for this one—I think that we need the government to bring something forward that will allow it to happen for all types of situations, so that if people change jobs, the plan can go with them, and when they get to retirement age the pension won't be totally contingent on how many different employers they had, but how long they worked and what entitlements they should have.

It's simply not fair that people are punished for the fact that their job has been transferred to another level of



government. It's also not fair if a person has been transferred to another job because their job has changed or their job has been lost and, in a lot of cases, they have to take a job for less money, and here we are, penalizing them, because their pension plan can't be transferred.

I think it's very important that we deal with this, and I hope that the government will take action on this situation by changing the Pension Benefits Act to allow this for everyone. If we look at the submissions made by the pension commission themselves, it's all about an interpretation of how the assets can be transferred, whether it has to be on the whole group or individually.

1450

I think it's time that the government got rid of the red tape and made it understandable and effective for everyone who needs their pension plan changed, so we can get the best possible outcome for everyone who has contributed to a pension for their whole life and now has a right to the dignity of living on that pension in their retirement.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Rosario Marchese:** I'm happy to support the motion by the member from Simcoe-Grey. I agree with everything my colleague from Beaches-East York stated on the record on this bill. I'm going to have to simply say that it is highly probable, as the member from Simcoe-Grey said, that some of them, or many of them, would not have known the unintended consequences of the bill they passed; it's highly likely. But it is hard to believe that out of the cabinet discussions they would not have discussed what the implications would be when you transfer one group of employees to another level. It really is hard to believe that they hadn't discussed it or that they wouldn't know the consequences.

So I want to accept that the member from Simcoe-Grey would be one member who just didn't know about the consequences. But I tell you, it's really, really difficult for me. I've been in cabinet and I've been around here for quite a long time, and we discuss these issues. Most of the government members of the Liberal Party today discuss a whole lot of issues. They know what's going on. A whole lot of members protest—internally, of course, because you can't do it externally—what the government members do. So they might pretend they don't know, because they have to accept what the government is doing, but we all know.

So in the late 1990s, the provincial government divested or transferred some 10,000 employees—we're not talking a couple; 10,000 employees, more or less—from one agency or level of government to another or to the private sector, and very few of these employees benefited from asset transfers. Indeed, some of them continue to do so at the same job in the same place but were told that their future pension accruals would be in a different plan. These individuals will and have received pension benefits that are lower than they would have been if all their service credits and associated pension assets had been transferred to the new plan. So there's a problem here.

Why could we not have built into the transfers a transferability of assets, a portability of assets in pension benefits? Why couldn't we have done it? Was it discussed? I'm sure it was. The problem is, as others have noted, the prevailing rules preclude asset transfers if even relatively minor differences exist between the new and the old pension plans. So the rules preclude asset transfers.

The member from Pickering-Scarborough East says we need time, but the problem is that we don't have time. These folks here don't have time. We need changes within my lifetime and theirs. The problem with a whole lot of Liberal amendments is that it takes a whole long, long time before changes are made, and by that time they're out of office. Then we leave it to yet another government to review the very changes Mr. Arthurs is recommending.

So I'm going to be supporting this recommendation. I want to say on the record that I know a whole lot of Conservatives knew what they were doing. But I'm prepared to accept that the member from Simcoe-Grey puts it forth genuinely, and I believe that these workers, these paramedics, need fairness. Whatever we can do to solve it today, we should do today, not tomorrow.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. David Zimmer:** I'm happy to speak to this, but I must say I find it really sort of passing strange that the member for Simcoe-Grey has brought this matter forward. It was in the late 1990s that the Tories created this mess when they went through this divesting exercise of public service employees' pensions. I note that the motion, in general terms, lays out that we should move quickly and rapidly on the Expert Commission on Pensions and what it says, and so forth and so on, but the real nub of this thing is that we've got an election coming up in 2011, because I see what I suspect is the real motive behind this, "and ensure that any resulting legislation or regulation allows paramedics in Simcoe county who were affected by the divestment of paramedic services in the late 1990s and beyond, to transfer their pensions to OMERS from HOOPP or OPTrust, ensuring that these paramedics are not penalized."

That's a very, very narrow motive, I suggest, that the member for Simcoe-Grey has in bringing this matter forward. What's behind that motive? Well, here we are in 2009. We've got an election coming up in 2011, and I dare say that all those paramedics in Simcoe-Grey are mightily hot about the action that the Tory government took in the late 1990s.

Anyway, be that as it may, where are we going to go from here? The Expert Commission on Pensions under the leadership of Harry Arthurs has issued its report. It's got a couple hundred submissions; they've done multiple public meetings with various stakeholders; they've got 142 recommendations there. Look, this business of the divestment is 10 years old now. It's going to be very, very difficult to sort out, but I can tell you that currently the staff at the Ministry of Finance are in the process of reviewing this, collecting additional information. We



have announced our intention to introduce a pension reform plan later this fall. Provisions such as this may be looked at. There are about 10,000 people affected by this motion who are not directly or adequately addressed here, and what we have to do, as a government, is take a larger view of this. This is more than just a particular group in the riding of the member for Simcoe–Grey.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Khalil Ramal:** It's a privilege and an honour to stand up and enter the debate on ballot item 22. It's a very important issue that we're discussing here this afternoon.

First, I want to welcome all the paramedics from Simcoe–Grey and all the paramedics across the province of Ontario; they do an excellent job on behalf of all of us in this province.

Everyone has mentioned, from the third party to my colleagues, the importance of this issue and how our government has taken this issue seriously. That's why our Premier asked the federal government to enter the debate on pensions for all the people in this province.

Sadly, I was listening to the member from Beaches–East York and the member from Spadina—

**Mr. Michael Prue:** Trinity–Spadina.

**Mr. Khalil Ramal:** Trinity–Spadina. He was mentioning why the member from Simcoe–Grey—he was, I think, a minister back then—was sitting around the table with the member from Oxford to discuss this issue. Back then, the Mike Harris government brought this mess to Ontarians, not affecting just the people of Simcoe–Grey; it affected more than 10,000 people across the province of Ontario. So the pension deinvestment happened under the watch of those people. Anyway, it happened in the past, and now we are talking about the present and want to work together in order to build a good future for all the people who rely on a pension when they retire.

It's important to deal with the pension issue because it's opened up—especially in these times after we heard of a lot of companies going bankrupt—for many people who worked all their lives. They were hoping to get a good pension when they retired, when they got old. I think it's our duty and obligation as a people, as elected officials, as a government, to look after those people and give them the chance to live with comfort, because it is important for all of us to make sure that people who work very hard in their lifetimes are protected and live with dignity and respect. That's why we've talked about the guaranteed income fund many different times. We said that this has been mismanaged since 1981. I'm not talking about a particular government; all the governments that came through, from 1981 until now, didn't look into this pension fund. That's why Professor Harry Arthurs conducted a study and came up with recommendations for the government. But he didn't come up with a proposal and solutions for how we could deal with it in general.

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That's why our Minister of Finance, our government, asked to conduct a study of different pensions, like

HOOPP and OMERS, to see how we can deal with them and to support the pensioners who worked very hard in their lifetime. As I mentioned at the beginning, they deserve all of the respect and the support that they need, because they worked very hard, on the assumption that when they retired, they'd get a full pension.

To the member from Simcoe–Grey: I don't think that this issue is only for the Simcoe–Grey people, even though I respect the Simcoe–Grey area. It has to be dealt with province-wide, in conjunction with the federal government, to come up with a solution for all the pensioners across the province of Ontario.

**The Acting Speaker (Ms. Cheri DiNovo):** The time for debate having ended, I would ask the member from Simcoe–Grey for up to two minutes in terms of a response.

**Mr. Jim Wilson:** I do appreciate Beaches–East York, my colleague from Oxford, Pickering–Scarborough East, Trinity–Spadina, Willowdale and London–Fanshawe for your comments.

I gather from the government side, though, that you sort of got the same response from the bureaucracy as I have: that this is a very complicated issue, it's very difficult to deal with, and it's 10 years old. Listen, if you want the politics of this, you guys are very union friendly. These fellows are OPSEU members, and there are about 10,000 of them across the province. I don't think they necessarily vote for me. They were kind enough to ask their MPP to come forward, on behalf of themselves and their families, to bring this issue forward, but the politics of this is that they're your voters and you should do something about this.

OPSEU is watching. You've got the agreement, and you've already got—I've met with HOOPP, I've met with OMERS and all of the parties involved, and they're quite willing. They're getting tired of these pension plans, and the offices of people who are now coming to retirement—and that's why the word “immediate” is in there, I say to the member from Willowdale. These people, these gentlemen are starting to retire, and they're getting ripped off.

I take full responsibility. I didn't know about the issue. I was fourth in charge of the province for eight years under Mike Harris. It never came up in cabinet, I swear to God. We just assumed. Now, maybe somebody knew and somebody got briefed somewhere, but it didn't come to my attention, and I don't think Mr. Harris knew. He wouldn't do this. This doesn't cost us money. It's a transfer of money from one plan to the other that these people have paid into. It's not a big bill for anybody here, so it would be no sweat. Why would we want to tick people off and rip them off on their pensions? That just doesn't make any sense, politically.

I ask you as private members today to send a signal to your own government and support this resolution. If you feel you can't do that, please, at least in the background—I'll take you at your word, government members, that this is a serious issue, that they are working on it, that there is a response promised by the Minister of



Finance coming soon. I would just ask you, if you don't want to support it today, at least pressure the Minister of Finance behind the scenes to do the right thing, and when he comes forward in a few months with his response to the commission, please include these paramedics.

**The Acting Speaker (Ms. Cheri DiNovo):** For those interested, we will be voting on this ballot item in about 110 minutes.

HIGHWAY TRAFFIC AMENDMENT ACT  
(AFTERMARKET BRAKE PAD  
STANDARDS), 2009

LOI DE 2009 MODIFIANT  
LE CODE DE LA ROUTE  
(NORMES RELATIVES AUX PLAQUETTES  
DE FREIN DE RECHANGE)

Mrs. Sandals moved second reading of the following bill:

Bill 181, An Act to amend the Highway Traffic Act with respect to aftermarket brake pad standards and specifications / Projet de loi 181, Loi modifiant le Code de la route en ce qui a trait aux normes et aux caractéristiques relatives aux plaquettes de frein de rechange.

**The Acting Speaker (Ms. Cheri DiNovo):** Ms. Sandals, according to standing order 98, you have up to 12 minutes for your presentation.

**Mrs. Liz Sandals:** I'd just like to begin by introducing a couple of people from my riding from ABS Friction—they just moved; I'm just finding them: John Burns, who is the president and chief operating officer, and Steve Curtis, who is the director of finance at ABS Friction in Guelph. I'd also like to note that Rick Jamieson, who is the CEO of ABS Friction and actually the past chair of the Friction Materials Standards Institute for North America, has been a great help in preparing this bill. Fittingly, perhaps, he's actually at a meeting of the institute down in the States today and couldn't be here.

When I go to buy a new car, I have some criteria that are very particular to me. I do a lot of highway driving. I want a driver's seat that's really comfortable because my back seizes up when I drive long distances. I have a lot of really tall adults in my family, so I want to make sure adults can sit in the back seat. My husband would tell you that it is genetically embedded in me to pack everything but the kitchen sink, so I want good luggage space. As I said, I do a lot of freeway driving, so I want an engine that's powerful enough that, when I come onto the 401 and the slow lane's going 120, I can accelerate into traffic. And I want to make sure that I've got good brakes and I can stop.

Probably out of all those criteria, the only one that everybody in the House agrees with and the only one that everybody watching agrees with is, "I want to be able to stop." We all know that it's really, really important that when we get in our cars, we're able to stop.

I make certain assumptions that I'm sure most people do, which are, because it's really important that I be able to stop, and the government's in charge of important safety standards, I just presume that there's some safety standard for the brakes on my car. That's actually only partly right. When you buy a new car, there are in fact North American safety standards for the original equipment. But eventually those brakes will wear out and you go to get them replaced, and in Canada, there is no standard for aftermarket brakes. It's buyer beware. You really do need to beware, but most of us don't actually realize that.

Ontario brake manufacturers in fact do meet some voluntary standards, and their brakes are perfectly safe. But that can't be said of everything that's on the market in Ontario.

The other assumption I would make is that Ontario, because of our health and safety legislation, no longer uses asbestos. That's only sort of true. We don't use it in the manufacturing process in Ontario, but there's no ban in Canada that says that you can't bring products that include asbestos into the country.

Bill 181 would address both of those issues. It would (1) require safety standards for aftermarket brakes, and it would (2) make sure that the brakes we use in Ontario don't contain asbestos.

You might ask, "What does asbestos have to do with brakes?" As we know, asbestos is a strong, heat-resistant and cheap material. Because of that, it can be used—and used to be used in Ontario—as a cheap, effective material in the manufacture of brake pads. But Ontario brake pad manufacturers don't use asbestos anymore. Why? Because asbestos causes cancer. So a brake pad manufacturer in Ontario wouldn't dream of having an industrial process that involved mixing in little bits of asbestos; we simply don't do that. So Ontario brake pads don't have asbestos. But what does happen is that asbestos that is mined in Quebec is shipped to Asia—people in Asia still use asbestos to make brake pads—it's shipped back to Ontario and you might buy those brake pads.

What happens then is that as your brake pads wear out, there's a little fine powder that ends up in the wheel wells of your brakes. What happens when you go to get those brake pads repaired? Well, the mechanic who's dealing with those brake pads is going to have to go into the wheel well, clean up the wheel well, take apart your brakes and do the repairs. At that point, the mechanic is going to be potentially breathing in asbestos dust. You might think, "Well, that sounds a little bit far-fetched. Does this really make a difference?"

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The truth of the matter is that if you look at the data—interestingly, this came up as an issue a few years ago out in Seattle. The Seattle newspapers went around and collected dust from garages that did brake maintenance and sent this out to a lab to be analyzed. What they found when they sent it out to be analyzed was that dust they collected from garages that did brake repairs could have anywhere from 2% to 64% asbestos content. Think what



that means to the mechanic working in the garage. They're breathing it in or they may ingest it if it gets on their lunch or their coffee cup or whatever, and that causes cancer. One of the cancers it can cause is something called mesothelioma, a very severe form of cancer caused almost exclusively by asbestos.

It's interesting that when you look at the data around who is most likely to get mesothelioma, it includes the categories we traditionally think of: people who worked in the construction industry back when asbestos was commonly used in pipe wrappings and insulation and things like that. A lot of construction workers have been exposed to asbestos, and they have a high rate of mesothelioma. But one of the other groups that has a very high rate of mesothelioma is actually mechanics who do brake repair work, because they've been ingesting that asbestos powder that comes in. Bill 181 would say that brake pads in Ontario, no matter where they came from, can't include asbestos, because we want to protect mechanics who work with brakes.

Let's go back to the whole issue of "I want to stop," because the other thing that Bill 81 would do is deal with the issue of "Can I stop?" Let's think of what happens when I go to get my brakes fixed. I go into the garage and say to the mechanic, "There's something wrong with the brakes." The mechanic puts the car up on the hoist and says, "Yes, she's actually right. We need to fix it." If it's the brake pads that need fixing, brakes come in a lot of different varieties, because different kinds of cars need different kinds of brakes. So the mechanic probably picks up the phone and says to the local auto parts distributor, "I need this kind of brake," and hopefully tracks it down so they can get my brakes fixed by end of day.

The local auto parts guy may not know a lot about where the brakes come from; they get them from some national distributor. Nobody in this chain actually knows anything about where the brakes came from. They don't know if they come from an Ontario or a North American manufacturer who is meeting safety standards. They don't know if they come from someplace else.

Interestingly again, people have done some work on this. One of the brake-testing organizations has looked at some brakes that come from areas of the world where people don't necessarily meet standards, and here are some of their findings. Under North American testing, some of the brakes that come from outside North America actually ignite—they catch fire—when they're subjected to friction testing. In fact, one of the most common causes of car fires is brake pad failure. For every thousand pads that were tested, five to seven pads completely separated from the steel backing on the pad. In simulated panic stops, where your brakes are most likely to fail, some of the brake pads just self-destructed. They crumbled; they fell apart. Obviously you don't want this happening when it's your car or when it's the car of the person behind you. You want their brakes to stop their car as well.

What do you do about that? There are already a number of voluntary standards. The European Union has a

standard that is quite simple. It says that replacement or aftermarket brake pads must be plus or minus 15% within the standard of the original equipment brakes that came on the new car. That's one way of doing it. Another North American standard is called BEEP, the brake effectiveness evaluation procedure.

AMECA, which stands for the Automotive Manufacturers Equipment Compliance Agency, has an equipment compliance program, and they have a whole rating system where they test brakes, they make sure it meets the standard, and then if it meets the standard, it's actually identified with what's known as an edge code, to identify who manufactured the brake and what standard it meets, which gives you total traceability of that standard.

The bottom line is, what happens in Bill 181 is that the Ministry of Transportation would be required to have a discussion with our local brake industry and come up with an agreeable standard that is workable in North America, and every brake pad used in Ontario would be required to meet that standard.

So Bill 181 would do two things: It would assure that mechanics aren't getting ill because of asbestos, and it would ensure that the brakes you use are safe and will stop your car.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mrs. Elizabeth Witmer:** Thank you very much, Mr. Speaker—or Madam Speaker. I'm very pleased to contribute to the debate on Bill 181, the Highway Traffic Amendment Act, introduced by the member from Guelph. I will be supporting this bill.

This bill, of course, is going to require motor vehicles other than motorcycles that are equipped with aftermarket brake pads to be equipped with brake pads that meet the prescribed standards and specifications, and also ensure that they do not contain asbestos.

In my opinion, there are two important issues that this bill addresses: (1) road safety, and (2) the protection of human health, both of which are of very significant concern to all Ontarians.

With respect to the issue of road safety, although the number of motor vehicle accidents has been decreasing in recent years, the personal and economic costs of such collisions continue to be very costly for Ontario. In terms of the lives lost and the pain and the suffering experienced by victims and their families, motor vehicle accidents continue to devastate hundreds of families each year. Further, the economic costs of such collisions to the province are enormous, as surviving victims require extended hospital stays, surgeries, medication and long-term treatment to overcome their injuries. Some of the injuries are permanent, and they cause significant stress to the individual and their family. In fact, a recent report tabled by the Ministry of Transportation estimated that vehicle collisions cost Ontario \$18 billion each year in both economic and social costs. That, of course, does not include the emotional pain and suffering.

Given the major negative repercussions of motor vehicle accidents in Ontario, I believe it is necessary to



support any measure which will help reduce accidents and injuries. While brakes are a key component of the safe and proper functioning of motor vehicles, there are currently no government regulations which cover replacement brake pads. The bill is attempting to fill a legislative gap that currently exists. Hopefully, passage of the legislation would reduce collisions as well as deal with the reduction of the economic, social and human costs associated with such accidents.

I also support this bill because I believe it builds on the commitment to road safety that was made by the Progressive Conservative government over many years in the province of Ontario. The Progressive Conservative Party has a very proud record of doing everything it can to ensure the safety of our roads. In fact, if we reach back to 1976, it was the Progressive Conservative government of Bill Davis that introduced legislation to make Ontario the first jurisdiction in North America to make the wearing of seat belts mandatory. More recently, we have built on our party's commitment to road safety by instituting policies which encourage responsible driving, strengthen the working relationship with our road safety partners and our ability to enforce the safety of commercial vehicles, and increase the safety of construction sites. Yes, we do have a proud past when it comes to road safety.

1520

Let's look at the other component of this bill, aside from the issue of road safety, and that is the impact this can have on the protection of human health, because again, this bill would help to eliminate asbestos in the province. We know that asbestos is toxic and that it is directly linked to major illnesses such as cancer. However, brake pads have generally been composed of semi-metallic materials and asbestos. This bill would institute the requirement that such harmful materials could not be used in the manufacturing of brake pads, which could cause harm to any person who's going to come into contact with these products. Therefore, again, this bill has a very positive implication for Ontarians because it is a step in eliminating the use of a known toxin, asbestos.

I will be supporting this bill, which focuses on improving road safety and human health by the banning of the use of asbestos in the manufacturing of brake pads. As I stated a few minutes ago, I am proud of our party's commitment over the years to doing all we can to establish and maintain safe roads in Ontario. As such, I am very pleased to see this initiative brought forward today, and I will be supporting it.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Michael Prue:** Thank you very much, Madam Speaker, and I did notice it's "Madam Speaker." I rise to support this bill in the full knowledge that something can and has to be done about the use of asbestos. I say that as a person who thinks back about asbestos in my life. I remember that in public school we had a great big piece of asbestos which the science teacher passed from person to person. We peeled little pieces off, we had the wonder

of it, we saw a movie from Thetford Mines and we saw the workers out there mining asbestos. It was one of the proud accomplishments of Canada that we produced more asbestos than anyone else in the world. They showed us the asbestos that was on the pipes and they showed us asbestos all over our school. We looked at it and marvelled at it. It wouldn't burn; we tried to light it with matches and things and it wouldn't burn. We talked about firefighters who used it. Everybody thought that this was a miracle product if ever there was one.

I remember a little later in my life going to work in a factory—I've spoken about it a few times here in the House—called Dunlop's, which produced rubber tires, rubber conveyer belts and tank linings and things. It was located on Queen Street. I worked there many summers as a young man. I did all kinds of work including, during the shutdown, staying behind to do the repairs on what was then a 100-year-old factory. One of my jobs one year was to take all the asbestos off the pipes and put on the new asbestos. We taped it up. We never had any masks. I was even in little confined rooms, tunnels, where we were taking it off. There were no masks; there was nothing. I wasn't afraid of it because I had remembered my public school experience. Nobody was afraid of asbestos. How could you be afraid of asbestos? We didn't know. So I remember doing all of that.

It was a couple of years later, a few years later, that the reports started to come out and talk about the harm of asbestos, and people were dying from asbestosis and lung disease. I remember back particularly to those two experiences, peeling pieces of asbestos and playing with it in public school, and more harmfully, I know for sure, doing all of that work over one summer, taking asbestos piping off the walls.

It wasn't until I went to a union conference and met my colleague from Thetford Mines—his name was Renaud Paquet. He went on to become the national president of the Canada Employment and Immigration Union, at which time I was one of the national vice-presidents. His father died from asbestosis. He lived in Thetford Mines, and talked about how as a young man he had worked there a couple of summers, and the fears that he had about one day contracting that disease and having the same horrible disease that killed his father, and the really horrible death it was—because he couldn't breathe. It was a long, lingering and horrible death. I vowed to change my views, and I did change my views.

Over the years I've seen a whole bunch of things. When I was the mayor of East York and we were tearing down the old building, the old city hall, after a new one had been built, they had men who came in spacesuits to take out the asbestos. They came in spacesuits. I used to just crawl into this space and take it out; they were fully protected so that none of it got on them. They had to put plastic on so that it couldn't even go onto the sidewalks or the roads around.

I know that an attitude has changed, and the attitude that has changed here is a good one. I am going to support this because we have the technology today such



that we don't need what we once considered to be the miracle fibre, something that couldn't burn. For a product like brake pads, the reason it was put in there in the first place was because the brake pads would heat to such an extent, they needed something that wouldn't catch fire, and asbestos was the logical product of the day. But today we have other things. Today we don't need asbestos and today those brake pads ought not to have it.

I'm going to support this bill for other reasons, not only the health reasons, not only for the mechanics, not only for the air that we breathe—because every time someone puts the brakes on in a city like Toronto, if they're using brake pads with asbestos, some will leak into the air.

I was surprised to find out as a mayor, when we had some studies done, about the amount of asbestos in the air in the downtown Toronto core and East York. There was more in our downtown core than one would find anywhere else in pretty much the entire province. The number of cars that were putting on their brakes in Toronto would release a certain amount of asbestos into the air, and we were all breathing minute amounts. Granted, it was small, but we were still breathing those minute amounts because we lived here in Toronto. So for health reasons, I fully support it.

But the last reason I want to support the bill—and no one's really talked about this—is that all of the brake pads that are made in Ontario are asbestos-free. That means that if we develop this standard, when people get their brake pads repaired, then they will have to buy pads that are asbestos-free. And to me, it is only logical to assume and to conclude that the place where the majority of these brake pads will come from is our own jurisdiction.

I am looking forward to this as something that will create jobs here in the province of Ontario. It will no longer be possible for mechanics to use foreign-made brake pads, be they from the United States—and I don't know what their legislation is—or from China or from any other place that has access to asbestos, but they will be pads that are made here, that meet Canadian standards, that meet Ontario standards, that have a number on the side so they can be traced in cases of accidents and that will provide jobs for the people who live here.

We, as New Democrats, believe in a made-in-Ontario policy. I've talked about it in other debates and other things, but this is a small way in which the change in the legislation will force mechanics and others who repair cars to use Canadian-made products that meet the requirements.

I'm not naive enough to think that over the years, other jurisdictions who want to get into the Ontario market won't be forced to mimic us, won't be forced to put markings on the sides and won't be forced to take asbestos out. But in the short term, it will certainly be a boon for Canadian workers, for Canadian manufacturers and for those people who want to get involved in this business.

I will be supporting the bill. It's time that we had the asbestos taken out of the air we breathe, it's time that we

keep mechanics and others who work on linings safe in their jobs, it's time that we took the health concerns seriously and it certainly is long past the time when I, as a much younger person, would play and work with asbestos without fear. We know today what it can do. It is in all of our interests to lessen its impact wherever possible.

I commend the member from Guelph—Guelph—Wellington?

**Mrs. Liz Sandals:** Just Guelph now.

**Mr. Michael Prue:** Just Guelph now—for bringing this forward, and I would ask that members on all sides of the House consider this on the three aspects: It will help to produce Canadian-made jobs; it will certainly protect those who work in the industry; and thirdly, it will protect the general environment for all of us who live in this great province of Ontario.

1530

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Lou Rinaldi:** Thank you, Madam Speaker, and I'll remember “madam” this time. I apologize for previously. I'm getting better.

I'm delighted to speak on Bill 181, from my good friend the member for Guelph. I'm going to talk from a practical standpoint. Maybe some members of the House don't realize, but I was a licensed mechanic. I say “I was” because I failed to renew my licence a number of years ago, probably because I didn't need it or I didn't practise it. This will probably tell you my age as well.

*Interjection.*

**Mr. Lou Rinaldi:** Twenty-nine.

Back in my days of apprenticing to be an auto mechanic at a dealership here in Toronto, we got what they called the dirty jobs as apprentices at that time. A car would come in for a brake inspection, and it was the apprentice who took the wheels and the drums off. Then the mechanic would come over and decide what the car needed.

Back in those days, disc brakes weren't all that popular unless you had a really expensive car; they were mostly drum brakes. What the drum did was encapsulate the brake shoes, and there was a backing plate, so any dust from wear from those asbestos brake shoes would really stay in the drum; it wasn't spread along the road. So when a mechanic would pull off that drum, it was like having a big cloud of dust. Not only did it impact the apprentice or the mechanic, because we used to get either an air hose or a bristle brush and kind of clean things out and make more dust; but the people who would clean up the place afterward would sweep up the stuff, pick it up and dispose of it, and God knows where it went from there.

Back then, one of the things we used to do after one of those brake inspections and replacements—the cure for the dust we inhaled—was to have a nice cold beer to wash out your mouth of all those kinds of things. I'm sure it wasn't an appropriate thing to do, but we didn't know any better.



As we learned that that wasn't a good practice, I'm delighted to see that Ontario, and probably Canada—we realized that asbestos was not the right thing to have in brake shoes, and they now produce asbestos-free product. So they're leaders in that, and that brings me to talk about this. I still tinker, the odd time, with the two or three cars I have. I go to the local auto supply store and pick up parts with no markings on the outside. They're plain, white boxes. I have no idea where these things originated. It's got a part number that an automotive store would identify so that they know what car it fits, but we have no idea where those brake shoes or brake pads or other parts we buy come from, and that worries me.

It's the same as being parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs. We all know that Ontario produces the best food and the safest food. Ontario manufacturers produce the safest products, and brake pads are one of them, especially when they removed the asbestos.

I think this has to happen. I support my colleague wholeheartedly. I know my fellow members are going to speak about some of the other technicalities, but I just say that this is long overdue. I know this might not mean a lot to ordinary folk in the street, but it means an awful lot to the health of people who have to work on those cars.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Ted Arnott:** I'm very pleased to have the opportunity this afternoon to speak to Bill 181, An Act to amend the Highway Traffic Act with respect to aftermarket brake pad standards and specifications, which has been brought forward by my colleague and friend the member for Guelph. It was introduced for first reading on May 12, just a few weeks ago.

I'm a big supporter of private members' time. I think it's unfortunate that we now have private members' time on Thursday afternoons instead of Thursday mornings, as we used to for so many years. Unfortunately, the turnout on a Thursday afternoon, especially on perhaps the last day that the House sits, isn't quite what it would have been had we been sitting on Thursday morning, but certainly we have many of the quality members here, like the member from Cambridge, who's participating today too. I think it shows the importance of the issue that a number of members have spoken to it this afternoon and are passionately in favour of it.

I'm glad that we do three private members' ballot items now on Thursdays. I trace that back to the Select Committee on Parliamentary Reform and enhancing the role of the private member. There was a report that was tabled in this Legislature in around 2002, I believe, that recommended that we do three private members' ballot items each Thursday instead of two. I think it gives all of us a greater number of opportunities to bring forward important issues that we are informed of, quite typically in our constituency offices, that perhaps otherwise wouldn't be considered by the government. So it's issues like this that need to be brought forward, and this is the vehicle in which we bring them forward.

I would have to say that this is a short bill, certainly; it's one page in length. I would also add that the simpler the private member's bill is, usually the greater the chance of success, quite frankly. When I think back to the private members' ballot items and bills that I've had the privilege to see pass through this Legislature, as well as the ones from other parties, the simpler, the better in terms of these private members' bills and the greater their chance of success.

I would never suggest that the bill is simplistic because it's simple or that the member hadn't thought out the details or that the bill lacked sophistication. I think the member for Guelph knows what I'm saying. I would never say that about her bill. I certainly think that this bill is one that is worthy of support and I will want to support when the vote takes place.

The member has identified the issue of highway safety with respect to Bill 181, and I think she's quite right. Certainly the human cost of accidents as well as the economic cost of accidents is staggering. My colleague the member for Kitchener–Waterloo alluded to that in her comments, and I would agree. When an initiative like this comes forward which is intended to promote highway safety, I think that all of us as members would want to get behind it.

I was quite surprised to learn that there really are no standards right now for aftermarket brake parts. This was brought to my attention as well recently by Rick Jamieson, who is the CEO of ABS Friction in Guelph. He was quoted recently in an article in the *Globe and Mail* in January saying that there are no standards: "We have standards on auto glass that you can replace in a windshield, but we don't have standards on what stops a car," which is amazing to me when you think about the importance of the brakes. I think most of us, when we get in our car, take our brakes for granted. We assume we're going to be able to stop when we apply our foot to the brakes, and we would anticipate that people in this House would be concerned about this if indeed there are no standards. From the comments I've heard so far, it seems that this bill is going to pass, because most people believe that the provincial government should be involved in this.

The health aspects have been raised as an important issue, and the need to remove asbestos from our natural environment is something that I would agree with. I'm aware that there are some brake parts, perhaps imported to this country from other countries, that may not have the same standards and may, in fact, contain asbestos. Of course, that subjects our auto repair mechanics to, I would suggest, an unacceptable risk to their health. I'm aware that there have been some studies with respect to that issue which have identified the need to remove that risk, because asbestos can lead to cancer and other terrible diseases that they shouldn't have to worry about, obviously. That's another good reason to support this particular piece of legislation.

I had the chance and the opportunity a few years ago, I think it was eight or nine years ago, to tour the ABS plant in Guelph when I was the parliamentary assistant to the



Minister of Economic Development, the late Honourable Al Palladini. I had a chance to meet Rick Jamieson at that time and to meet many of his employees, his associates. I'm sure that plant has expanded. A lot has changed in the intervening years. I haven't had the chance to be back in again, but I'm glad to hear that the company is taking advantage of the economic opportunities that still exist in the province of Ontario, in spite of the economic downturn. Obviously we're looking for whatever economic good news we can find these days, and it's exciting to know that a company like this is considering expansion and hiring new workers.

We've experienced considerable job loss in our area, going back to about 2005, I guess, when I first brought forward a resolution in this House calling upon the government to have the Standing Committee on Finance and Economic Affairs study the economic competitiveness of our manufacturing industries. Unfortunately, those hearings never took place. I would still argue that had we taken that step in 2005, had a standing committee of the Legislature focused on that issue and had a public discussion about the competitiveness challenges that our manufacturing sector faced, I would submit that we could have come up with a decent action plan as members, in a non-partisan way, that the government could have adopted. I would submit that we could have gone into this economic downturn stronger had we taken those steps and I would suggest that many of the hundreds of thousands of manufacturing jobs that have been lost—some of them, at least—could have been saved had we taken action before the economic storm hit us the way it did.

1540

In closing, I want to again congratulate and commend the member for Guelph for bringing forward this particular bill. I hope that the government will adopt it as government legislation. We know we're coming towards the end of a session, it's possible the government will prorogue, but this is a good idea that should be adopted by the government as government policy. I would encourage all members to support it this afternoon.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Rosario Marchese:** I too will be supporting the bill introduced by the member from Guelph.

I was interested in listening to the stories of my colleague from Beaches–East York when he spoke about his connection to asbestos and how they handled and studied asbestos when they were in high school, as if it were a specimen that was harmless, nothing to fear. It's amazing how so many of us have lived through those experiences without knowing. It reminded me of my experience, when I was a young man of 21 or 22, working in a factory for a summer job, and it was an asbestos factory. Knowing nothing about the dangers of asbestos and recollecting that experience, I said to myself, "I wonder if I was wearing a mask at the time? I can't even remember," hoping, as my mind tells it, that I was, but I'm not quite sure.

But even if I was wearing a mask most of the time, I don't think while we had lunch, sitting outside at the receiving end, where things were taken out and received—when we were all sitting there, of course, our mask wouldn't be on; we would be eating without it, and these particles are flying in and out—only to discover about three years ago when I went for some X-rays that they said, "We noticed something," and, "We should do further checks," and it was revealed that I have some asbestos in my system. I've got to tell you, it's frightening. It's quite possible that I might die of something else and not of that. I hope so, because dying of asbestos is a very serious, serious matter.

I remember in the old days where people died of asbestos, and we didn't acknowledge and we didn't pay workers' compensation at the time, because people were dying of asbestos and their claims were denied for many, many years. It was thanks to people like Stephen Lewis, the leader of our party, who raised that issue on a regular basis, year in and year out, that eventually the Workers' Compensation Board had to accept those claims.

So this motion ensuring that all brake pads in Ontario do not contain asbestos is a good one. We comply with that in Canada, so it's the imports that we've got to worry about. But I've got to tell you, we mine asbestos in this country and we send it out to many other countries across the world. Knowing that it kills, we still mine it and send it out, as people who work in it are affected and as people who have to use it in other parts of the world are affected, get sick and die of it.

In my view, if something kills, it should be prohibited. I understand that it creates jobs, but I wouldn't want to work in a place where I knowingly work in an area where this stuff will kill me eventually. I'd prefer to find other work. I'd prefer to find other work even if it didn't pay well enough—even if it didn't. That's an argument that I make.

Yes, it saves lives, it's good for our industry because we comply with the laws, and I think it's a motion worth supporting. I'm sure every other member will support it as well.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Bob Delaney:** I'd like to quickly recap for anyone who's watching, what is Bill 181 about? It's about aftermarket brake pads. More words have already been spoken in this 45-minute debate than the bill actually contains.

So what's the bill about? When the brake pads on your car wear out, you can replace them in one of two ways. You can install original equipment manufacturer, or OEM, as it is called, brake pads. Those are the best-quality brake pads; they are also the most expensive. You, or your mechanic, as your second choice, can install what are called aftermarket brake pads. Aftermarket parts are made by independent or offshore manufacturers, and in the case of brake pads, there are no prescribed standards. Many, for example, contain the substance asbestos.



Now, here's what the bill says: The bill says that if you use brake pads that are not OEM, those brake pads will meet prescribed standards and specifications should the bill be passed, and the bill says that these brake pads will not contain asbestos. That's it. That's all there is to the bill.

I'll talk a little bit about asbestos. Asbestos is actually a very handy substance. It is a terrific insulator; it's a very powerful fire retardant. It's also a very potent carcinogen. If asbestos sticks into your body, it will cause cells to mutate that produce a very aggressive, very nasty, very painful form of cancer. Nobody who manufactures car parts in Ontario uses asbestos any more. But offshore manufacturers do use asbestos. So that means this bill is designed to benefit, in this case, car mechanics. Similar legislation would benefit people who, for example, deal with older buildings and structures where the insulation or the pipe wrap may contain asbestos.

But let's go back to car mechanics. When you step on the brake, your forward motion is slowed by converting a little bit of that forward momentum, the kinetic energy, into friction heat as your brake shoes get hot while your car, your truck or your vehicle slows down. That's all that happens. While the brakes get hot, the insulation rubs off as a very fine powder and adheres to the inside of the brake assembly. If those brake pads contain asbestos, your brake assembly accumulates finely ground asbestos dust. As a mechanic, when you service that car, you run the risk of breathing that fine asbestos dust. If it enters your lungs, it can, as previous speakers have said, cause a very nasty and aggressive cancer called mesothelioma, so-called because it attacks the mesothelial cells that line many of your body's organs—and I'm sure the next speaker will talk about that—causing those cells to mutate into a cancer and multiply rapidly. That's the risk that this bill seeks to reduce: Get asbestos away from vulnerable workers. If you're watching this, you'll probably want to ensure that your brake pads don't contain asbestos.

One of the things that's important about this bill is that it says very clearly—to executives of car part firms, to shop owners and even to consumers who may have never known and hitherto probably never cared—ask what your aftermarket brake pads contain. If they contain asbestos, don't install them. If you are an executive and you're installing cheap, aftermarket brake pads, look at it and see whether or not your shop is installing asbestos parts. You shouldn't be doing this. This is a good bill. Its time has come.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Ms. Helena Jaczek:** I'm sure it will come as no surprise to anyone that I will be supporting Bill 181, introduced by our colleague from Guelph.

I'm going to concentrate mostly on the aspect of asbestos. This is a subject that actually makes epidemiologists truly, truly excited, because when you look at the case of asbestos and the harm that it can cause individuals, it is one of those situations where denial has been a

very prominent feature throughout the history of the connection between asbestos and human illness.

It was as early as 1922 that a statistician for the Metropolitan Life Insurance Co. found that asbestos workers are at risk of injury to the lungs from asbestosis, the sort of chronic, obstructive lung disease that was seen in those days. Of course, there were allusions through the years that this was caused by smoking or not so much by the asbestos, but by 1944, the Journal of the American Medical Association reported that asbestos is one of the agents known or suspected to cause occupational cancer. And from the anecdotes of our colleagues from Beaches–East York and Trinity–Spadina, it's really shocking to hear that both of you were exposed, obviously.

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In 1964, Dr. Irving Selikoff published a study showing specifically that mesothelioma, the type of very aggressive cancer that has already been alluded to, was specifically related to asbestos exposure. This, again, was an epidemiological study that showed multiple areas where causation was proven.

One of the specific situations related to the concentration of asbestos fibres in the air—our colleague from Guelph has alluded to the study done in Seattle showing that, as recently as 2000, automotive mechanics were being exposed to dust where the concentration was up to 64% of the dust where they were actually working.

There have been calls in Canada for a strategy. Dr. Barbara Whyllie, who was the CEO of the Canadian Cancer Society, in July 2007 called for a comprehensive strategy that will lead to Canadians no longer being exposed to asbestos. So how ironic that, in a situation where new cars manufactured in Canada cannot use asbestos in brake pads, they are being used for replacement—clearly something that I think was shocking to many of us as we read the bill that has been presented.

This is an issue that really does affect everyone, as it relates to safety from the type of brake pads that are being used in some cases. As drivers, I think we're all very, very concerned, but clearly the issue related to automotive mechanics is exceptionally important. It is one that must stop, in my view. Exposure is not something that we can countenance, given the very long history and the absolute confirmatory studies that have been done as to the risk to workers from exposure to asbestos.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Guelph has up to two minutes to respond.

**Mrs. Liz Sandals:** I'd like to thank all those who have spoken: the members for Beaches–East York, Northumberland–Quinte West, Wellington–Halton Hills—Kitchener–Waterloo I missed—Trinity–Spadina, Mississauga–Streetsville and Oak Ridges–Markham. I really appreciate the comments which have been very supportive and the understanding that the members have shown of the problem.

We've been talking a lot about the impact of asbestos, and I was surprised at the number of members who have personal experience with exposure to asbestos in one way or another.



I received an e-mail this morning from Helmuth Slisarenko, who owns a garage in Guelph. If you've ever driven from Aberfoyle up into the city, you will have passed the Brock Road Garage on your way. Helmuth writes:

"Good morning Liz....

"As you know, I have been in the auto repair industry for many years—since 1969 and in those early years inhaled my share of asbestos despite being extremely careful in wetting down brake shoes prior to performing repairs. Thankfully, asbestos seems to have disappeared from locally manufactured parts a number of years ago. The proliferation of 'offshore' parts has brought that practice into question....

"Hopefully, your bill will make it through....

"Thank you again for bringing this to the light of day!"

Just to recap, the bill will say that you cannot have asbestos in brake pads used in Ontario. It will also make sure that the brake pads meet some safety standards. It will not affect Ontario jobs, because Ontario brake manufacturers already meet the standards. In fact, my local manufacturer, ABS, with the recession, is finding more and more people are keeping their old cars and are having to replace the brake parts, and they've actually had to add on a new shift. So this is actually an urgent issue, in the sense that more and more replacement brake pads are out there on the roads.

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. This ballot item will be voted on in about 50 minutes.

#### CONDOMINIUM OWNERS PROTECTION ACT, 2009

#### LOI DE 2009 SUR LA PROTECTION DES PROPRIÉTAIRES DE CONDOMINIUMS

Mr. Marchese moved second reading of the following bill:

Bill 186, An Act to amend various Acts with respect to condominiums / Projet de loi 186, Loi modifiant diverses lois en ce qui a trait aux condominiums.

**The Acting Speaker (Ms. Cheri DiNovo):** Pursuant to standing order 98, you have up to 12 minutes.

**Mr. Rosario Marchese:** I, first of all, would like to thank approximately 15 condominium owners who have come to listen to the debate, and I appreciate the fact that they're here, because this is being debated in the afternoon and they've been here for about an hour and a half already. That speaks to their commitment to seeing changes in the Condominium Act, and it speaks to the concerns they have experienced over the years with their condominiums, in relation to so many problems that they have experienced.

I want to tell you that the first Condominium Act was created in 1972 or so, and the subsequent changes were made in 1998 by mon ami Monsieur Harris. I have to say that the changes that were made in 1998 were not picked

up by anybody. It's as if condominiums didn't exist, literally, because there weren't that many people who complained about problems they were experiencing with their condominiums. There weren't any hearings that I'm aware of, and if there were, they probably were minor. I think we dealt with it in a day or two, if I recall.

What has happened is that we have seen an incredible increase in condominium construction in the last 10 or 11 years, mostly in Toronto, but it has happened as well in Ottawa, in Kitchener-Waterloo; it's happening in Hamilton, I was told by our leader. It's expanding everywhere—London, if I haven't mentioned London. So it has become something to think about and to worry about. In fact, condominiums have replaced rental buildings, where more and more people are renting in a condo as opposed to rental buildings. That's what has happened in the last 10 or 11 years. As a result of that, as we talked to condominium owners, we have picked up on a lot of concerns they have.

Just to quote some of them, "Fair disclosure and standard provisions: The sales office representing the developer did not advise buyers of upcoming construction," says Hannah from Toronto.

"I'm concerned about developers and hidden clauses, and having to sue or fight or pay to get out of contracts that the developers make." That's John Doe, from Ontario.

"We were provided with vague explanations like 'contractual expenses, utilities etc.,"' John from Toronto says.

"After living in my condo for eight months, my condo fees jumped up by over 25%. For a 600-square-foot condo, I pay well over \$300 in condo fees. I can't wait to get out of the condo," Reshma from Toronto says.

These are the kinds of expressions of problems that we have been hearing for a long time. There is much more than this, but I wanted to give you a flavour of what we are hearing from some of the condo owners.

I've got to tell you, 40% of my riding in Trinity-Spadina is made up of condominium owners. There are about 70,000 condominium units in the area of Toronto Centre—my colleague George Smitherman. There are 166,238 condo units in the city of Toronto, which includes Etobicoke, North York and Scarborough. These are facts that we were able to gather in the last couple of days, just to give you a sense of the number of condominium units in parts of Toronto. There are 234,303 condo units in the GTA. The numbers are huge. It's a large community that we need to speak to; there are problems that we need to address.

When I introduced my Bill 185, which had parts of my new bill today but was dealt with a couple of years ago, I remember my friend Gerry Phillips, the chair of cabinet for the Liberal Party, and he said, "Look, we don't have any problems, and the current law addresses the problems that condominium owners have." I said to him in that debate that that is not true, that if a condominium owner has a problem with a developer, they have to go to court. No condominium owner is rich enough to be able to take on a developer. The then Minister of Government Services said, "No, that's not a problem."



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If a condominium owner has a problem with you, a property manager, they've got to deal with it in court. No condominium owner has enough money to be able to go to court to defend himself or herself with a problem that they might be experiencing. Similarly, if you've got a problem with the board, they have to resolve that; if not amicably between themselves, they too have to go to court. There are hundreds and hundreds of problems experienced by condominium owners as it related to many issues of condo living. I said, with my bill in 2007, that we wanted to create a condominium review board that would enforce the Condominium Act, advocate on behalf of condo dwellers, provide info, help condo owners review documentation vis-à-vis declarations and resolve disputes faster than what we have at the moment, affordably, and not have to go to court to deal with it. We need review officers that could solve problems so you don't have to go to court. We feel that this is an affordable measure, an easy measure, that would help a whole lot of condominium owners deal with the problems they experience.

We also wanted standard provisions for declarations, which are transparent and should be transparent, and at the moment they're not. They're in legalese that most of the condo owners cannot understand. They're standard in British Columbia and they're not standard here. Every condominium has different declarations that have to be read by lawyers, and not all condominium owners go to lawyers to read what the declaration says and what their obligations and/or responsibilities might be. You need to spend anywhere from \$3,000 to \$5,000 to be able to get a lawyer to read that for you, and most of them cannot afford to do it. Some do it but most can't. And we also said we should have good-faith disclosure, so that when a developer of a condominium says, "This is what we're going to do," they would have to keep their word from the beginning to the end of the process. That language existed in the old 1972 Condominium Act, but it was resisted by condominium developers, friends of the then Conservative government, and they made sure the good-faith legislation and good-faith disclosure did not exist, did not enter the law.

These are useful things that we want to repeat in the current act that I am presenting today. We want that and additional things that should be covered. In our discussions with condominium owners in the last three years, there have been other issues that have been talked about. My bill would extend coverage to lofts and other dwellings in conversion condos. The problem at the moment is that the warranty program does not extend to conversions. We feel it should. Lawyers believe that it should. Then-Minister Gerry Phillips said that if Tarion agrees, they'll make the changes. But if Tarion—the agency that administers this warranty program—does not agree, then tough luck. The problem is that Tarion since 2007 does not agree that conversions should be covered by a warranty program. As a result, I'm urging the government that it should, and that it should make the

changes and oblige Tarion to provide a warranty for dwellings and conversion condos.

The other matter we speak to is that we want to address Tarion's prolonged process with dealing with complaints. At the moment, we know that it takes a long while to deal with complaints. It should not be the case. It should be speedier and it should be easier for people to bring forth a claim and solve it quickly. We want a realigning of Tarion into a consumer protection agency and removing developers' and builders' majority on Tarion's board of directors agency. The Ontario New Home Warranties Plan Act lets Tarion determine the makeup of the 12-member board. There is no expressed requirement that the board have fair representation of homeowners' consumer advocates. Instead, developers dominate the board. The current makeup of the board reflects how Tarion's mandate does not stipulate that it is a consumer protection agency. It should be. So my bill makes that possible.

Another change: We want to allow the reserve fund to be used for replacement of common elements following reasonable wear and tear and installation of renewable energy. Condo owners and boards are expressing loudly that they want to green their buildings via retrofitting, installing solar panels, solar water heaters, linking to deep lake water cooling. A frequently cited obstacle to going green is the cost. The proposed amendment removes this obstacle.

Further, closing a loophole that allows the board to implement pricey major alterations to common elements without protection of the owner: We believe that's something that needs to be changed in order to allow board members, condo owners, a voice, and not bypass the condo owners when pricey renovations have to be made.

Ensuring that the condo review board is composed of condo consumer advocates and not developers and their representatives is another change that we make, including, we say, correcting the misuse of proxies. At the moment we have the right of a person to go door to door gathering proxies, which has generated more controversy than you might imagine. You have people who have gone door to door where they've signed two or more proxies that actually contradict each other, or have signed proxies based on false and incomplete information.

These are some of the major changes I wanted to speak to. I know that I will have the two minutes' remarks and hopefully some other time to be able to make other suggestions about condo changes that we feel are timely. Condo owners are looking to the government to either pass my bill or pass their own and make these changes today, not in the next 20 years.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Ms. Sophia Aggelonitis:** I'm glad to stand today and speak about this very important piece of legislation. First, I wanted to say thank you to the member from Trinity-Spadina. I always enjoy listening to him; I think the whole House enjoys listening to him.



This is a very important debate, and I am very pleased to be a part of it. I know that we can all agree on the importance of ensuring that condominium buyers are protected. Protecting condominium buyers means protecting consumers and strengthening their confidence in the condominium marketplace. This is exactly what we have done in the current Condominium Act, 1998. In fact, the current act does provide for more consumer protections than what Bill 186 offers as an alternative.

Recently I had the privilege to attend and participate in the Canadian Condominium Institute's Golden Horseshoe Chapter conference. It took place in the great city of Hamilton just this past month. During this conference I learned a great deal about the state of the condominium industry, including their issues and their concerns. In fact, certain experts who were discussing our current legislation at the conference spoke very highly of it, especially when it was compared to other jurisdictions.

The Condominium Act was described by one expert as the most complete and progressive act in North America. Our current new condominium and home warranty legislation, which provides consumer protections, is not available in all other provinces. We have a 10-day cooling-off period which follows a purchase agreement. Ontarians who purchase condominiums must be provided with a comprehensive disclosure by developers, and any material change to this statement allows the purchaser the ability to cancel a sales agreement.

In addition, we introduced a new delayed-closing regulation which came into effect on July 1, 2008. This regulation provides more disclosure, increasing compensation and clarity to new homebuyers whose homes are not completed on time.

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While Bill 186 was introduced in good faith, in many cases its proposals are already covered through the current act or through our legal system. Just as an example, the duty-of-fair-dealing clause proposed in this bill is already a recognized concept throughout our courts. In addition, the specifics of the proposed review board are not clear. It adds an unnecessary layer of dispute resolution where there are existing provisions already in this current act.

Our government has made significant headway in regulating and supporting the condominium industry here in Ontario. I believe that this legislation would unnecessarily replicate many parts of our current legislation and not offer increased protection.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Michael Prue:** I listened intently to the member from Hamilton Mountain, but I find that I must disagree. It would appear to me very likely that the people in condominiums do not have the kind of authority that they require in order to have a livable place in which to live and in order to function. Part of the problem is that people who live in condominiums, through their boards, through the agencies, through how the whole thing operates, find themselves to be relatively powerless.

They are powerless against the developers and the builders because the developers and builders have big money when it comes to moving into the building, if things aren't right; they are powerless when things happen to them that are beyond their control.

I want to talk about the circumstances of the condominium owners who live at 3640 and 3650 Kingston Road in the riding of the Minister of Health Promotion. Those people who live in those condominiums, the twin buildings, have not been able to go back home since March 6. They have not been able to go into their homes. There was a transformer malfunction, an explosion and fire, and they have found themselves literally on the streets. They can't go home. Even those who have insurance—and most of them had some form of insurance for their condominium property—found that the insurance did not cover them when they could not go back after 12 days. So after 12 days, those people in the condominiums have been forced to stay with friends, with relatives, wherever they can because the insurance monies ran out; they could no longer stay in the hotels. Those who were destitute, those who did not have insurance, have been taken in by the city of Toronto, and they continue to live in Howard Johnsons and other local hotels.

The condominium people have been trying, through their board, to take the necessary action, but they found that they can't because the dispute resolution that they have to follow is a long and arduous one that takes them through the courts. Taking it through the courts, literally, will take months and/or years.

What my colleague from Trinity-Spadina is attempting to do, first and foremost, is to have a resolution mechanism so that ordinary people can have a resolution through a place other than the courts, so they can have a resolution and an opportunity for places other than hiring lawyers, going after condominium developers and the people who manage the condominiums.

It seems to me that whenever you empower people over their own property, they will, by and large, do the right things. I don't know where the member from Hamilton Mountain is coming from with her argument, but the condominium people with whom I have spoken want these additional powers. They do not consider what Mr. Marchese is putting forward in his bill lessened powers; they consider them additional powers. The powers he's talking about are not only about the resolution of dispute but the misusing of proxy instruments to make sure that when there are votes taking place on boards of directors or to have undertakings done within the properties, the instruments are used in an appropriate manner. That needs to be tightened up, because people are obtaining proxies, in some events, that are not correct with the law, and people, after having given a proxy and finding out how the vote went, sometimes are angry and sometimes think that their proxy was misused. We need to tighten those instruments to make sure they're used correctly.

He's talking about access to reserve funds, because right now, the reserve funds that are held in con-



dominiums can only be used for repairs. He wants the access to be used for renewable energy. Think about condominiums, especially large ones, that want to put solar water heaters on the roof. That is the technology that has come of age, that can actually be done for less cost than natural gas boilers. They can't use their reserve funds for renewable energy. His bill wants to use that, wants to have it incorporated that the condominium corporation can access the reserve funds to use them for renewable energy, which, after all, will not only benefit the people in the building and reduce their costs, but will benefit all of us and our environment.

In his bill, he also wants to talk about noise protection standards, which currently do not exist. I don't know what the 1998 bill says on that. Quite frankly, I don't think it says anything. The member from Hamilton Mountain can elucidate; she can tell me. After I sit down, I can't speak and she can't either. But if she can convince me that there is something in the current bill that speaks to that the same way that Mr. Marchese's bill is for noise protection standards, then I will listen.

Having said that, it seems to me that the bill he is proposing is one that will strengthen the power of ordinary people, who, after all, are trying to look after their number one asset, which is their home, a home in which most of them have invested their life savings, a home in which they want to have some control, and a home which they occasionally have to desperately fight to keep, against forces that are not well understood.

I live in a house. I don't live in a condominium. But I do know that those of my friends and colleagues who live in condominiums have a different set of conditions with which they must deal, a different set of variables, issues that I don't have. I have only the power over my own home, but I don't have anyone else telling me how to operate it or how to operate a common area.

They need to be individually empowered. They need to collectively be empowered. They need to be able to take it to resolutions, other than the courts, that don't cost inordinate amounts of money in order to resolve that.

I am going to support Mr. Marchese's bill, because whenever you can empower ordinary people, they will do the right thing. I commend him for bringing it forward, and I will support it.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Mario Sergio:** I compliment the member from Trinity-Spadina, because I know that he has put a lot of effort into bringing this bill for debate today. I also know that he has very good intentions of dealing with some of the issues that are very problematic within the Condominium Act.

The real problem is in the existing format, with how condominiums are organized. We have boards of directors that do not get along with the owners; boards of directors that do not get along with management; owners that do not get along with management. This is the main problem with the existing corporations. The others can all be adjusted, but once you have an appointed or elected

board of directors, to try to remove those members is very problematic for owners of that corporation.

The bill requests that many things be done. The first one that I really have a problem with is to access the reserve fund to create projects of improvement with respect to energy efficiency or new technology.

I have to say that 80% of the corporations have problems with their existing boards, with the existing management, and to try to deal, as an owner, with those groups is a very serious problem. If you give the power to a management corporation to take away the funds in the reserve fund, you're going to have a major, major problem on your hands. Reserve funds are to be used exclusively for repairs or replacement of the common elements, to maintain the building in good condition, and if you wish to use fresh, new technology, then at the worst they should be levying a particular levy specifically to do that particular event, without interfering with the reserve funds.

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Establish a review board to provide information to corporation owners and assist in the resolution of disputes and strike out the existing "Superior Court of Justice": If we were to do some of these things, I think our condominium owners would be in a sea of very severe, horrendous problems.

One that I also find a very severe difficulty is amending the object of the corporation. They would be serving as a consumer protection agency—and by this, I'm speaking to amending the new home warranty program. My goodness, they have more on their hands than you can shake your stick at. As a new home warranty program, they will never be what you call a consumer protection agency. I would hope that at the least, they would be doing their job and providing the services that they are supposed to, as a new home warranty program.

Change the composition of the board so that at least half of the directors have experience in consumer protection—give me a break—and advocacy and at least two of the directors must have experience in representing homeowners. What kind of experience are we asking of these people here? All of the board of directors are volunteer people. And some of the board of directors, the good ones, because of the problems that exist, they want out. So only the bad ones continue to manage and represent the board of directors.

I think there is one that I have very severe problems with: "The review board shall submit an annual report ... to the minister, who shall submit the report to the Lieutenant Governor," who in turn should submit it to Parliament, if in session, and if it's not in session, in the next session.

My time is up, but I have to say to the member, thank you for bringing this forth, and I hope that something good will come out of this. But this is not the way to do it, because it will create more problems for condominium owners, corporations and management. At the same time, Rosario, I wish you well.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?



**Mrs. Elizabeth Witmer:** I'm pleased to support this legislation, entitled Bill 186, the Condominium Owners Protection Act. This is a very important bill. If you're looking to buy your first home in Toronto in particular, chances are you probably will end up looking to buy a condo or, if you are going to be downsizing, you probably also will be looking for a condo.

According to a CBC Marketplace investigation, however, buying any condo is fraught with risk, and many homebuyers are surprised to learn that the beautiful rooms they see in a model suite are not necessarily like the ones they will live in once their building is complete. I believe that the member from Trinity-Spadina has brought this bill forward to address those types of concerns.

He has stated, "The condo act should require standard provisions for disclosure materials and the declarations that govern condominium corporations.... Declarations should look like each other and not be uniquely drafted and distorted. After all, condo owners are consumers and they must be able to read what they are buying in very plain and simple language.

"Developers should have to deliver what they promise and provide purchasers with clear, fair disclosure." I agree with the member from Trinity-Spadina. I also am opposed to any hidden clauses.

This bill would amend the Condominium Act, 1998, to require that every declaration contain the standard provisions set out in the regulation. A duty of fair dealing would also be imposed on all declarants and condominium corporations in their dealings with owners and purchasers of condominium units. Obviously, when you buy a condominium, there are problems. One is noise, and I think the member has tried to address this through his bill.

"The bill" would also amend "the act to permit a corporation to access its reserve fund for the purposes of installing renewable energy and other energy-efficient technologies and replacing common elements following reasonable wear and tear," and I agree with this provision of the bill in spirit. My only reservation would be if this amendment were to increase monthly condominium fees. As we know, these fees are already costing homeowners a considerable amount of money every month. However, as a former Minister of the Environment, I agree that we need to do what we can to protect our environment, so if a building needs to be fixed or upgraded, then hopefully the homeowners would have an opportunity to make a choice about using more energy-efficient technologies.

There is a concern, when you take a look moving forward, about purchasing condominiums, and that's the impact that the harmonization of the PST and the GST could have. We understand it could add over \$2,000 to the cost of a real estate transaction, and that's going to hurt people who are buying not just condos, but any properties, and certainly it was not the best time for the government to be introducing this harmonized tax, when we're in the midst of an economic downturn. I think we need to recognize that condo owners and condo buyers

could well see increased costs as they close their new condo.

I just want to quote from the Ontario Home Builders' Association, who say, "Harmonization is a jobs killer for residential construction." We certainly hope that the government will reconsider their harmonization initiative.

I'm going to conclude simply by saying that—you know what?—it's a good thing we're seeing more condos. It certainly allows us to fill in. I'm going to support the bill that the member from Trinity-Spadina has put forward.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Khalil Ramal:** I'm privileged and honoured to enter the debate on Bill 186. I listened carefully to the member from Trinity-Spadina and many others who spoke before me.

It's an important subject, an important topic, because I know a lot of people live in condominiums in my riding of London-Fanshawe. When the people buy, they think they can save some money, because, as you know, people who are getting old or have limited resources move from a house and they move to a condominium. They think they're going to save some money. What happens is most of the time they sign a contract and they're going to pay \$150, and they discover, after they said to them it was \$150, it becomes \$200, \$300 and sometimes \$400. Most of the time when they go to fix something outside, they say to them, "Why are you fixing it?" Well, they fix it. They have no other choice.

One person I know who lives in a condominium has limited resources, and the condominium authority or the corporation decided to change all the windows and the doors from outside and change the roof. It cost him \$10,000, and he doesn't have the money to pay it. Basically, what they did is, they forced him to pay on a monthly basis; otherwise, they could take his condominium.

I think we're due to open the subject and talk about it openly and try to reform it to protect the consumer, to protect the buyers and to protect the people with limited resources.

I want to say it's important to note when we talk about the act of 1989, I believe, that back then, as the member from Trinity-Spadina knows, not many people used to live in a condominium. It wasn't an issue. People used to live in houses. But now, as I mentioned, people are getting old; people have limited resources. They're moving out and they're going to a condominium, because they don't want to remove the snow or look after the lawn or many different things.

They think if they move to those condominiums, they get some kind of service, but as a matter of fact, some of the people who look after those condominiums—I'm not talking about everyone—are corrupt. They have a lot of people they're working with. They have some kind of contract. They get rebates. They get kickbacks if they change the windows, the doors, the lawn, the snow removal, the garbage. All of this stuff is subject to



investigation. It's important. I think we're obligated, as elected officials in this place, to stand up for the poor people, for the people who have limited resources.

As I mentioned, member from Trinity-Spadina, they have the right to go hire a lawyer, but who can afford it? Who can afford it? Nobody can afford it. A few people can afford it, but if they want to say something at the board meeting, you know what? Nobody listens to them.

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It happened to my brother. He went to the board and he told them, "I don't want to change this. How come you forced me to change it?" They said, "The majority of the people voted to change so you have no other choice except to accept it; otherwise you have to leave and pay what we said you have to pay."

Most of the people who live in those condominiums have no idea about the laws and the regulations. They come in good will and good intention to buy a place and to live, they and their families, with comfort, without any extra obligations, because they're being told by real estate agents, "You're only going to pay \$100 or \$150," but they discover, after the ad is up, that because of the small print at the bottom of the contract, they have to pay \$200 or \$300 more, and then they put themselves and their family in jeopardy.

I think this act should be discussed more, should be reopened to protect the vulnerable people who live in this province of Ontario. As you know, Madam Speaker, the majority of Ontarians right now live in condominiums. I live in a condominium in his riding, Trinity-Spadina. Do you know what? I don't know other condominiums, but I know it's very, very difficult to get service.

I think it's a very important subject. We should open it up and we should discuss it for the sake of the people of Ontario.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

The member from Trinity-Spadina has up to two minutes to respond.

**Mr. Rosario Marchese:** I have two minutes plus additional time—

*Interjection.*

**Mr. Rosario Marchese:** Yes; thank you very much.

I appreciate the comments made by all the members and I particularly appreciate the comments made by the member from London-Fanshawe, because he is talking about his own personal experience. When people speak sincerely about their own problems, they're able to address problems rather than pretending that we have solved them. That's the reality I believe we need to talk about: The bill needs to be changed. We heard through the grapevine that the government was undertaking discussions, but I'm not quite sure whether these discussions have happened or are actually going anywhere. So the point I make is, have your discussion; pass or defeat my bill; I don't care what you do, as long as you open up the debate on the Condominium Act, because it needs changes.

The member from York South raises quite a number of issues, actually, and it surprises me. I'm wondering whether he speaks from his own experience or from the notes that have been written for him. My sense is that the notes have been written for him by the ministry, and I'll tell you why: When he says, for example, that the warranty program should not cover conversions, I say to myself: Why not? "Give me a break" is his language; they already have enough work to do. I don't understand that. What does it mean that they have enough work to do? If conversions are not covered, that's an unfair practice to those people who are moving into condominiums that have been converted and don't have a warranty. Isn't that unfair and shouldn't they be covered? The argument that, "Oh, we have too much work to do; we can't worry about these other people," is just a false argument.

He then says that the review board would strike out, if I remember his language, the courts. My bill does not do that. My bill allows for people to still go to the court system if they want to, but it does not exclude the courts. What it does do is permit the review board to hire review officers, who would be able to settle disputes and arbitrate problems between a board and a condominium owner, a condominium owner and a developer, and a condominium owner and others. You have the option to go to court if you've got deep pockets, but if you don't, somebody else would solve them. What's wrong with that suggestion?

If he says that this is not the way to do it, what is the way to do it? I am proposing a bill that recommends changes. If he has another bill, bring it forth. But if he doesn't have another bill for me to debate, then he should be urging his minister to bring forth changes.

He talks about Tarion. "They're volunteers," he says. "Give me a break"—he used that language again. "Give me a break; they're volunteers." I'm sorry; the majority of Tarion board members are developers, and they represent the developers' interests. We know this for a fact. All I'm saying is that we should have people on that board who are expressing the opinions of consumers and of condo owners. They should have the ability to represent condo owners, to be able to say, "We are on your side." Isn't that what Tarion should be able to do, as opposed to representing—who? And if it's representing developers, is that a fair deal? I say to him it isn't. So he's got objections. Fine, but let's take it to committee and debate these changes. If you don't like it, oppose it, and if you don't like what I'm suggesting, bring your own changes. The fact of the matter is that the government is doing absolutely nothing vis-à-vis amending the Condominium Act. They do not have a voice at the moment; they don't. Tenants have a voice. Landlords have a voice. They have a tribunal to which they can bring disputes. Condominium owners have nowhere to go except the courts, and they're alone with their problems. It's just not fair, as the member from London-Fanshawe said, in terms of what a condominium owner has to face.



So I'm saying, bring it to committee, debate it. If you don't like the bill, change it. If you want to bring your own, bring it forth. But tell these condominium owners that you're willing to listen and you're willing to make changes to the Condominium Act because the time is right. It's been 11 years since those changes were made, and we need changes. They need them today, not in the next 10 years.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Trinity–Spadina still has two minutes, if he would like to use them.

*Interjections.*

**Mr. Mike Colle:** Point of order. He sat down.

*Interjections.*

**The Acting Speaker (Ms. Cheri DiNovo):** It's okay?

**Mr. Mike Colle:** He relinquished his time.

**The Acting Speaker (Ms. Cheri DiNovo):** A point of order from the member for Eglinton–Lawrence.

**Mr. Mike Colle:** I don't care. On a point of order, Madam Chair: I don't mind if he gets two minutes, but the rule is that once you sit down, you're down. You can't get up again.

*Interjections.*

**The Acting Speaker (Ms. Cheri DiNovo):** Yes, the member from Trinity–Spadina has an extra two minutes to respond.

**Mr. Rosario Marchese:** And Mike is my friend, by the way, but he speaks to the rules only.

**Interjection:** Rules are rules.

**Mr. Rosario Marchese:** Rules are rules; I absolutely agree with that. We should add the two minutes next time instead of confusing the Speaker, thinking that two minutes have been added and one doesn't know.

I urge condominium owners here and who are watching—the government only responds to political pressure. It doesn't matter which party is there. It doesn't matter which party is in power; we only respond to political pressure. Rare is the government that does the right thing because they believe it's the right thing to do. Rare is that government.

**Mr. David Zimmer:** Right here.

**Mr. Rosario Marchese:** Oh, yeah, right here. Where is it again?

**Mr. David Zimmer:** Right here.

**Mr. Rosario Marchese:** Right here in the rump, as opposed to the other side.

I urge those who are condominium owners to put pressure on the Premier, to put pressure on the minister, because this is the only way they're going to respond. They actually believe that the current act protects you and that you have your voice. They actually say that. They said it two years ago and, I presume, since no speaker has spoken on this matter today, that is still the case.

I want people to write letters to the Premier. If we get enough people, if we get enough people from my adjoining riding, from the Minister of Energy and Infrastructure, George Smitherman, if we can get enough people from that riding to lobby him, if we can get

enough people to lobby everyone that is a Liberal back-bencher to understand that this is serious, then they will listen to you. It's not about me. It's about giving rights to condominium owners. The member from London–Fanshawe spoke on behalf of many like him who understand condominium problems and condominium issues, and he too says we should be addressing it, not because it's me introducing it but because it's an issue that needs to be addressed.

**The Acting Speaker (Ms. Cheri DiNovo):** The time for private members' public business has expired.

## PENSION PLANS

**The Acting Speaker (Ms. Cheri DiNovo):** We'll deal first with ballot item number 100, standing in the name of Mr. Wilson.

Mr. Wilson has moved private member's notice of motion number 100.

Is it the pleasure of the House that the motion carry? All those in favour will please say "aye."

All those opposed to the motion will please say "nay." In my opinion, the nays have it. The motion is defeated.

*Motion negated.*

## HIGHWAY TRAFFIC AMENDMENT ACT (AFTERMARKET BRAKE PAD STANDARDS), 2009

### LOI DE 2009 MODIFIANT LE CODE DE LA ROUTE (NORMES RELATIVES AUX PLAQUETTES DE FREIN DE RECHANGE)

**The Acting Speaker (Ms. Cheri DiNovo):** We will move to the next ballot item. That's private member's Bill 181, dealing with aftermarket brake pads, put forward by Ms. Sandals. Is it the pleasure of the House that this bill carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. The bill has passed.

*Second reading agreed to.*

**The Acting Speaker (Ms. Cheri DiNovo):** Would the member like to refer the bill to a committee?

**Mrs. Liz Sandals:** I would like to refer the bill to the Standing Committee on General Government.

**The Acting Speaker (Ms. Cheri DiNovo):** Is it the pleasure of the House that it be referred to the Standing Committee on General Government? Agreed.

## CONDOMINIUM OWNERS PROTECTION ACT, 2009

### LOI DE 2009 SUR LA PROTECTION DES PROPRIÉTAIRES DE CONDOMINIUMS

**The Acting Speaker (Ms. Cheri DiNovo):** Finally, private member's Bill 186, the Condominium Owners

Protection Act, put forward by Mr. Marchese. Is it the pleasure of the House that this bill pass?

If so, say—

*Interjections.*

**The Acting Speaker (Ms. Cheri DiNovo):** Wait, wait. All those in favour of the motion will please say “aye.”

All those opposed to the motion will please say “nay.”

In my opinion, the ayes have it.

*Second reading agreed to.*

**The Acting Speaker (Ms. Cheri DiNovo):** Is it the pleasure of the member to put that forward to a committee?

**Mr. Rosario Marchese:** I'd like to refer the bill to the Standing Committee on Justice Policy, please.

**The Acting Speaker (Ms. Cheri DiNovo):** Orders of the day? No further business?

Could I have a motion for adjournment?

**Hon. Monique M. Smith:** As I wish everyone in this House a very lovely and restful summer, I'd like to call for adjournment of the House.

**The Acting Speaker (Ms. Cheri DiNovo):** Is it the pleasure of the House that that motion carry?

All those in favour, please say “aye.”

Anybody opposed, please say “nay.”

I'd like to add my voice to the government House leader's and wish everyone a wonderful summer.

This House now stands adjourned until September 14 at 9 in the morning.

*The House adjourned at 1642.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
Broten, Laurel C. (LIB)	Etobicoke–Lakeshore	
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Bryant, Michael (LIB)	St. Paul's	
<b>Cansfield, Hon. / L'hon. Donna H. (LIB)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture
		Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
<b>Crozier, Bruce (LIB)</b>	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée
		Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
<b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
		Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement
		Minister of Finance / Ministre des Finances
		Minister of Revenue / Ministre du Revenu
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Elliott, Christine (PC)	Whitby–Oshawa	
Flynn, Kevin Daniel (LIB)	Oakville	
<b>Fonseca, Hon. / L'hon. Peter (LIB)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Minister of Economic Development / Ministre du Développement économique Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	Ancaster–Dundas–Flamborough– Westdale	Minister of Government Services / Ministre des Services gouvernementaux
McNeely, Phil (LIB)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
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Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener—Conestoga	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin—Middlesex—London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough—Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches—East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of International Trade and Investment / Ministre du Commerce international et de l'Investissement
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London—Fanshawe	
Ramsay, David (LIB)	Timiskaming—Cochrane	
Rinaldi, Lou (LIB)	Northumberland—Quinte West	
Runciman, Robert W. (PC)	Leeds—Grenville	Leader, Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton—Mississippi Mills	
Tabuns, Peter (NDP)	Toronto—Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
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Van Bommel, Maria (LIB)	Lambton—Kent—Middlesex	
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<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth—Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
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Kevin Daniel Flynn, France Gélinas  
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Maria Van Bommel  
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No. 160

N° 160

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

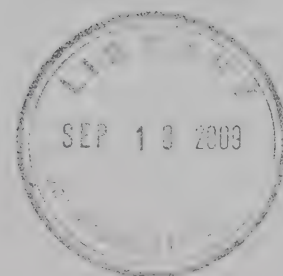
Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 14 September 2009

Lundi 14 septembre 2009



Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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Deborah Deller



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Published by the Legislative Assembly of Ontario



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Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 14 September 2009

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 14 septembre 2009

*The House met at 1030.*

**The Speaker (Hon. Steve Peters):** Good morning and welcome back. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

*Prayers.*

### LEADER OF THE OPPOSITION

**The Speaker (Hon. Steve Peters):** Members, I beg to inform the House that Mr. Hudak, member for the electoral district of Niagara West–Glanbrook, is recognized as the leader of Her Majesty's loyal opposition.

*Applause.*

### INTRODUCTION OF VISITORS

**Mr. Tim Hudak:** It's a great honour to introduce to the members of the assembly today my beautiful wife, Debbie, and lovely daughter, Miller Olive.

**Hon. Rick Bartolucci:** I too am very privileged to introduce my wife, Maureen, who is in the gallery, along with three relatives from Ireland. There's Joe, Kathleen and Patricia Reilly. After their 13 days in Ontario, they describe Ontario as "brilliant."

**Ms. Andrea Horwath:** I'd like to recognize a woman who is here from the riding of Ancaster–Dundas–Flamborough–Westdale, Teresa Osterback. Welcome, Teresa.

**Hon. Jim Watson:** I'm delighted to recognize a guest visiting us from Lisbon, Hugo Patrocinio.

**Hon. Kathleen O. Wynne:** I'd like to welcome Xerina Fortson as my guest today, in the members' gallery. She is visiting here from Atlanta, Georgia.

**The Speaker (Hon. Steve Peters):** On behalf of the Minister of Culture and page Jacquelyn McLaurin, we'd like to welcome her mother, Joanne McLaurin, her sister Grace McLaurin, and an exchange student staying with them, Adé Dewavrin, sitting in the east members' gallery. Welcome today.

On behalf of the Minister of Energy and Infrastructure and page Mauricie Summers, we'd like to welcome her mother, Anita Whyte, and her father, Brian Summers, sitting in the members' gallery today.

I'd also like to recognize, in the Speaker's gallery, some friends of mine visiting from St. Thomas, Mark Cosens and Brigitte Cosens, and, I would say to the member from Timiskaming–Cochrane, Aubrey Cosens, who is named after a cousin of his who won a Victoria

Cross in the Second World War. Welcome, Mark, Brigitte and Aubrey.

### ORAL QUESTIONS

#### ELECTRONIC HEALTH INFORMATION

**Mr. Tim Hudak:** I'd like to ask the Premier a question about his summer of scandal. Let's begin where it all began, at eHealth Ontario. On June 2 of this year, the Premier assured members of this House that PricewaterhouseCoopers was "retained to look at expenditures to ensure that management practice and financial controls are in place." Those are the Premier's words, but as the Canadian Press reported on August 11, a senior vice-president with eHealth was quoted as saying, "There is no contract in place." In the same report, a company spokesperson also said that PricewaterhouseCoopers was actually never engaged. Why did the Premier tell the House that PricewaterhouseCoopers was retained when in fact they were not?

**Hon. Dalton McGuinty:** First of all, I'm pleased to receive the question, and I want to take this opportunity to personally congratulate the honourable colleague opposite on the assumption of his new responsibilities.

Speaker, I ask that you not allow these brief comments to detract from my time to respond. I say to my honourable colleague that I enjoyed the special privilege of serving as leader of the official opposition for seven long years, and I wish him at least the very same privilege that I enjoyed. It is also a distinct honour for all of us that the honourable member is joined by his wife and his daughter, and we wish him and his family very, very well.

With respect to the matter at hand, my honourable colleague knows that we did receive advice from the auditor that it would be superfluous for us to engage in both an internal audit and an audit conducted by the Auditor General. We have correspondingly placed all of our auditing in the hands of the Auditor General. We believe that we should give him the time to complete his work. When he has done so, that will be made public, and we are eager to act on any recommendations that he puts forward.

**Mr. Tim Hudak:** I thank the Premier for the very kind words and for his personal call just after our leadership concluded.

Premier, I asked a specific question. This has to do with your word, your honesty, what you told the



Legislative Assembly of Ontario and members sitting here today and what the facts were. For weeks, we saw you and your health minister dodge, deflect and dismiss opposition questions about the eHealth scandal, and when you finally could not ignore this scandal any more, you yourself said that you retained PricewaterhouseCoopers to investigate. The fact we found out this summer: PricewaterhouseCoopers was never retained, despite the fact that the Premier told this very House that they were. Premier, exactly who told you that PricewaterhouseCoopers was retained?

**Hon. Dalton McGuinty:** It was certainly my understanding that PWC had been retained. There is no nefarious plot afoot, as my friend might intimate. We think that what we owe Ontarians is a full and thorough review of what has taken place at eHealth. We've asked the Auditor General to conduct that. We think the appropriate thing to do in the circumstance is to give him the necessary time to conduct that review. That's what we're doing, and that's what I would ask my honourable colleague to do as well.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** But Premier, if you were given the impression that PricewaterhouseCoopers had been retained when in fact they were not, what are the repercussions of that? We are talking about a very serious scandal that saw millions of dollars of untendered contracts go to Liberal-friendly consultants. We're talking about an extraordinary abuse of taxpayer dollars. And the Premier ducked serious questions here in the House by hiding behind that PWC contract, a contract that never existed. So, Premier, if it was the Minister of Health who told you that they had been retained, if it was the board at eHealth that told you PWC was retained, then why the heck do they still have jobs?

1040

**Hon. Dalton McGuinty:** I think what we owe Ontarians—and I think that's the dominant question behind everything that we struggle to do here—is a full and thorough review of what happened at eHealth. I think the best authority to conduct that kind of review is to be found in the office of the Auditor General. We have called upon the Auditor General to conduct exactly that kind of a review. He is taking the necessary steps to obtain the necessary information. His full intention is to make all that information public. That will be accompanied by both findings and recommendations, and we look forward to both. But in particular we look forward to acting on any recommendations he might offer.

#### ELECTRONIC HEALTH INFORMATION

**Mr. Tim Hudak:** Back to the Premier: I think what we owe Ontario is creditability of a Premier, who told this assembly for weeks a matter that was actually not in keeping with the facts, and a Premier who will get to the bottom and tell us exactly who told him information that was not true.

I have further questions about the summer of scandal for Dalton McGuinty. Over the summer, the *Globe and Mail* reported that on October 23 of last year the Premier met with Sarah Kramer before she was appointed CEO of eHealth. There was no open competition for this important post. There was no open competition despite the troubled history of this agency. So, Premier, we're left to wonder if hiring Sarah Kramer is the Premier's personal untendered contract. Premier, did you direct the hiring of Sarah Kramer?

**Hon. Dalton McGuinty:** No, I did not. I anticipated that my honourable colleague might raise this. What I learned was that the contract discussions concluded on October 22, 2008. I met with Ms. Kramer—as is in fact my habit when it comes to the appointment of important officials doing work on behalf of the government, to impress upon them the importance of that work and the value that I attach to their responsibilities—on the subsequent day.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** I think as the Premier knows, from the beginning serious red flags were raised about Sarah Kramer. Before meeting with Sarah Kramer, senior ministry officials, we understand, including the deputy minister and an assistant deputy minister, were saying Kramer was not up to the task. The Premier was being told that Kramer lacked experience running a multi-million dollar organization. After only nine months on the job, she was severed, at a cost to taxpayers of some \$315,000. Premier, why did you ignore the advice and warnings and personally shepherd Kramer through cabinet and into this job?

**Hon. Dalton McGuinty:** First of all, I want to make it clear to my honourable colleague—I know that there have been musings about this in the media—not once from any quarter did I ever receive any information or advice that would lead me to believe that Ms. Kramer would be less than competent at assuming her new responsibilities. I want to make that perfectly clear. There was a process. That process was followed. My involvement was to thank Ms. Kramer for taking on the responsibilities, to encourage her to assume those quickly and effectively, and that's what I did. In hindsight, obviously we wish things might have been done differently. But given the circumstances as they unfolded, I did not receive any information or advice to the contrary, and I met with Ms. Kramer after she was hired.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** Well, it is clear that Sarah Kramer was the Premier's personal untendered contract, and shortly after that meeting your hand-picked CEO of eHealth followed your lead and went on an untendered contract spending spree all her own. And who were some of the recipients? A consultant whose record was heavily criticized by Alberta's auditor; John Ronson of the Liberal-connected Courtyard Group and chair of the 1995 Liberal election campaign—millions of dollars of untendered contracts to Liberal-friendly consultants. No



doubt, Premier, your culture of entitlement set in fast and deep at eHealth Ontario.

Premier, the auditor will report on contract mismanagement, but who will shine the light on your involvement? Will the Premier commit to sending this to a committee of the Legislature to get to the bottom of it today?

**Hon. Dalton McGuinty:** I think I've made it pretty clear in terms of my involvement in this. I met with Ms. Kramer after she'd been hired. One of the things that we have done, and I know that Ontarians will be interested in this, is we have eliminated the practice of sole-source contracts for our consultants. That was a practice that had been in place for a number of years in the Ontario government. It is one that had been accepted and utilized by my friend opposite when the Conservative Party formed the government. We decided that it was no longer in keeping with public expectations and we've made that change. There can no longer be sole-source contracts for consultants. We think that's the appropriate thing to do and we think that's what Ontarians expect of us.

## TAXATION

**Ms. Andrea Horwath:** My question is to the Premier. All over this province, people are telling this Premier to stop his HST scheme, but he refuses to listen. In this recession, people want a government that makes life more affordable. Instead, the Premier is raising the cost of gasoline, hydro and so much more. People are looking for practical solutions to job loss, yet Ontario's chamber of commerce, tax harmonization's biggest supporter, says this: "sales tax reform [will] slow employment growth by between 10,000 and 40,000 jobs."

Why is this Premier ignoring the people of this province and ploughing ahead with a plan that will hurt families and kill up to 40,000 jobs?

**Hon. Dalton McGuinty:** I welcome the question from my honourable colleague, the leader of the NDP, but I cannot agree with the information that she put forward here. I think Ontarians understand in their heart of hearts that we need to do something together to strengthen our economy. What they may not know and what we will do more to convey to them is that the overwhelming consensus among economists and businesses is that the single most important thing that we can do to improve our economy, to strengthen the economy and create more jobs, is to move ahead with a single sales tax.

By the way, the very package that we put forward as part of tax reform in Ontario was supported by Ontario's food banks. I think at a time that you can put a package forward that's got the support of the food banks and the support of the chamber of commerce, you've got to be moving, broadly speaking, in the right direction. This is the right package at the right time. It lives up to the responsibility of our generation to do something that is not easy, but it's the right thing to do for our economy and to support our public services.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** It's not my information; it's information from the Ontario Chamber of Commerce that says there are going to be job losses as a result of the harmonized sales tax, and I can give the Premier the information if he hasn't read it.

Ontarians I've met over the summer, like Anne and Milton Marion in Thunder Bay, are worried about the impact of the HST. They're worried that it's going to increase the cost of their already sky-high hydro and heating bills. The Premier chooses to ignore them. The Premier's own caucus tells him that they cannot sell this. In fact, insiders say that the caucus is freaking out. He ignores them too.

Higher prices, 40,000 jobs lost—when will this Premier stop ignoring the people of this province and back away from this reckless scheme?

**Hon. Dalton McGuinty:** I'm not clear as to where my honourable colleague is getting the information about the jobs she is talking about, but I will quote again from the head of the Ontario Chamber of Commerce, who said, "It's a very bold step ... it's smart for the time because it is going to take the shackles off business." That sounds to me like a positive endorsement and not a negative criticism.

In terms of the support for our families, my honourable colleague knows that we're exempting a number of items that are important to our families, like children's clothes and shoes and car seats and booster seats. She also knows that we're going to put in place an Ontario sales tax credit of \$260 each for adults and children. That's the most generous in the country. That means that for a family of four, they will get, on a permanent basis, additional support of \$1,040.

Again, if it's supported by the Ontario Chamber of Commerce and Ontario's food banks, I think we're moving in the right direction.

1050

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** What this plan is going to do is shackle the people of this province with even more job losses at a time when we can least afford it. This Premier's tax scheme is going to leave people paying billions and billions of dollars in new taxes every year, and it's going to kill up to 40,000 jobs.

Even the Premier's own federal leader, Mr. Ignatieff, says he's opposed to what he calls the "Harper sales tax." The people of Ontario don't want this, and neither does the Premier's own party.

Isn't it time just to take a step back now and consider some measures that will actually create jobs and leave money in people's pockets instead of ignoring the needs and wishes of Ontarians and kicking them when they're down?

**Hon. Dalton McGuinty:** I think it's important to remember the truth when it comes to this. The overwhelming consensus among economists is that this is the single most important thing that we can do to strengthen our economy and create jobs; 130 other countries are



already there. Every single OECD country is there except the United States of America. Four provinces are already there. BC, when they learned of what we were doing with respect to the single sales tax, said, "We need to get there, because we don't want to allow Ontario to get ahead."

These are inconvenient truths for my honourable colleague, but they are the truths, and it's important that we find a way to move ahead with this.

### GOVERNMENT ACCOUNTABILITY

**Ms. Andrea Horwath:** The Premier should worry about what's inconvenient for the people of this province when it comes to their affordability.

My next question is to the Premier. The people of Ontario need to trust their government with public money. A few short months ago, the Premier claimed that the board at OLG was "moving in the right direction." That's a direct quote. Now he has suddenly fired them all, amidst yet a new scandal. A few short months ago, this government claimed that they had hired Price-waterhouseCoopers to look at spending at eHealth. Now, we learn that they were never hired. Does the Premier expect the people of Ontario to believe he's serious when he only acts once he's caught?

**Hon. Dalton McGuinty:** I think that what we owe Ontarians is, when these matters come to light, to move as quickly as we can, in as transparent a manner as we can, to bring all the facts to the light of day. That's why we brought in the Auditor General.

But more than just that, we've done a number of things of late to increase accountability and transparency. We have banned sole-source contracts to consultants. We are now going to make the Integrity Commissioner ultimately responsible for the approval of expenses from our 22 biggest agencies, boards and commissions. Announced today, we're now going to have—and the private sector has been doing this for some time, and it's a good practice for us to adopt—mandatory training for the OPS and our big agencies, boards and commissions when it comes to the matter of expenses.

Finally, we are going to post online, for the first time in the history of the province, expenses from senior-level servants in the OPS, our ABCs and our ministers as well. We think that's progress for Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** First it was eHealth; then it was the Ontario Lottery and Gaming Corporation. More recently, we've heard of more questionable expenses at MPAC. Ontarians want to know all of the facts, Premier. Instead, they see Liberal members shut down committee investigations and ministers claim that third party auditors are looking into an eHealth scandal, even though they haven't even been hired. Why is it that everyone is held accountable for this mess but the Premier and his cabinet?

**Hon. Dalton McGuinty:** Again, I think what Ontarians want is for us to take responsibility to ensure that these kinds of things, when they are brought to the light

of day, are dealt with, and that we take steps to ensure that they cannot be repeated. That's what we're doing.

The opposition has, I must say, brought certain important facts to the light of day. We are acting on those facts. The media is also contributing in this regard. I think it's fair to say that, over time, governments of all political stripes have done much to enhance accountability and transparency for governments themselves. Now we're reaching further than that, to over 615 agencies, boards and commissions that operate at arm's length from government. We're putting in place new rules, new educational opportunities, new transparency so that we have heightened accountability. I think that's what Ontarians want us to do.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** What Ontarians tell me that they want is full transparency, and they want someone in this government held accountable for these scandals. We've seen well-connected insiders make out like bandits with millions in untendered contracts, and it's hard-working Ontarians who are left holding the bag.

We need to clear the air, and I have just the way to do that. In the name of transparency, will the Premier release today a complete list of all untendered contracts awarded by government agencies in the last two years?

**Hon. Dalton McGuinty:** What my colleague needs to know, when it comes to the matter of sole-source contracts, is that we are prohibiting those from now on. Those were rules that were deemed to be acceptable under the Conservative government and under the NDP government; we're now saying no to that practice.

We're also saying yes to something that is brand new for Ontario. We are going to take it a step further from what my colleague is requesting. We're going to post expenses online so that they will be available to all Ontarians. We're going to replicate a practice that is taking place in the federal government, but we're taking it a step further by including expenses for the senior execs at our agencies, boards and commissions. We think it brings the Ontario standard to a new level when it comes to transparency and accountability.

### ELECTRONIC HEALTH INFORMATION

**Ms. Lisa MacLeod:** My question is for the Premier. There continue to be unanswered questions about his scandal-plagued agency. Earlier this summer, an all-party subcommittee agreed it was in the public interest to bring the board of eHealth before a legislative committee that would get to the bottom of the scandal. Last week, the Liberal members on the committee blocked our effort to get eHealth in before committee.

Did the Premier tell the Liberal members of the committee to block a legislative probe by the government agencies committee?

**Hon. Dalton McGuinty:** We have an impartial, arm's-length, objective office which has agreed to take responsibility for reviewing the facts there. I think we should



give that office, the Auditor General's office in particular, the necessary time and leeway to conduct their business. I understand that my colleague is impatient when it comes to the completion of this work. I think we should remain patient, and as I've said several times, we look forward to receiving both the findings and the recommendations so that we might act on those.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Lisa MacLeod:** With respect, what we're impatient with in the opposition benches is the continued mismanagement and misuse of taxpayer dollars in this province. The eHealth scandal is clearly a matter of public interest. The government has repeatedly said that it needed a second layer of review. Who better to do a review than a legislative watchdog committee? If the Liberal members weren't standing in the way, we could have had the second layer of oversight that the Premier wants.

When the media asked the Liberals why they wouldn't let eHealth executives appear before the government agencies committee, the minister clammed up and refused to give an explanation. So I'm going to ask the Premier one more time, is it because the Premier and the minister have something to hide?

**Hon. Dalton McGuinty:** Again, I think the question always comes back to, what do we owe Ontarians here? And I like to think what we owe them is an objective, dispassionate, thorough review of the circumstances. That will be best completed by the Office of the Auditor General.

I want to remind my honourable colleague as well that the public accounts committee will be reviewing the auditor's report on eHealth. This will be coming before the committee. There will be an opportunity to look at that report to ask questions of the Auditor General. I think that's the appropriate thing to do in the circumstances.

#### SPECIAL-NEEDS STUDENTS

**Mr. Rosario Marchese:** My question is to the Minister of Education. The Arrowsmith program for children with disabilities offers an imaginative, innovative program for students. Your supervisor at the Toronto Catholic District School Board, Mr. Hartmann, decided, against the wishes of trustees and parents, to cancel this valuable program, a program that works, a program that parents and students know works—and 60 of these students who were making significant progress now, one week after the start of school, still find themselves without a program.

You are now running this school board, so you, in my mind, have a choice: Are you going to restore a program that works or are you going to challenge these parents in court?

1100

**Hon. Kathleen O. Wynne:** I welcome everyone back to our first day of school, although the kids have been in for a while.

I want to share with the member opposite a letter that he would not have had an opportunity to see. It went

out today from the new supervisor—we have a new supervisor at the Toronto Catholic District School Board. He says, to the parents of the students who are in the Arrowsmith program:

"I am writing to you today in my capacity as supervisor of the Toronto Catholic District School Board.

"The purpose of my letter is to inform you that, after careful review of the issue surrounding the provision of the Arrowsmith program to students in seven classes in the TCDSB, I have decided, in consultation with the director of education, Ann Perron, to continue the provision of the program for those students currently participating until June 2012."

This action on behalf of the new supervisor will, in effect, grandfather the delivery of the program to the students who have been in the program.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Rosario Marchese:** I am pleased that this decision has been made, quite clearly. I will sit down very shortly—because I went to that school board meeting. I heard the parents and I heard the students saying, "This program works. It works for me as a parent and it works for those kids." So we were puzzled that Mr. Hartmann obviously decided that he wanted to save some money at the cost of those students. So whatever your involvement, Minister—and I'm assuming you intervened. I do assume you intervened, and if you did, thank you for doing so.

**Hon. Kathleen O. Wynne:** I just want to be clear that the new supervisor, Dr. Richard Alway, who was in the Toronto Catholic District School Board, took responsibility to review all of the decisions that had been made. He looked at this one and he made a decision to grandfather these students. I have every faith that, going forward, he will be able to make the right decisions for the students of the board.

#### TOURISM

**Mr. Shafiq Qadri:** This question is for the Hon. Monique Smith, Minister of Tourism.

First, of course, I'd like to tell this House that it's great to be back after the summer break. While I was in my riding of Etobicoke North, I was of course pleased to have the opportunity to work and meet with a great many of my constituents. Ontarians such as these recognize that tourism is one of the most important economic generators of the GTA and, given the challenges the province and the area have been facing—such as the fluctuating dollar, the economic downturn and of course, the confusion over passport requirements for entry and exit to the US—they emphasize they are concerned that fewer visitors are travelling to the GTA.

I'd like to ask the Minister of Tourism: What is our government doing in the GTA to help stimulate tourism and visiting to our area?

**Hon. Monique M. Smith:** I'd like to wish everybody a good "welcome back" as the House resumes.

The McGuinty government recognizes that tourism is incredibly important to the Toronto area. This summer



I've had the privilege of attending a number of festivals and events across the region, including desiFEST, Caribana, Just for Laughs, the Honda Indy—and last week I had one of the thrills of my lifetime in opening the Toronto International Film Festival. I have been attending the festival for 24 years and I've got to say, it was a pretty exciting night. I know some of my colleagues from the other side were there on Friday night as well, and we've had lots of fun celebrating the festival with festival organizers. They have really focused the spotlight of the world on Toronto and I am so excited that my ministry has supported this festival to the tune of about \$500,000.

It goes without saying that bringing over 1,000 international media to our community is an important driver for tourism and attracts so many investors and visitors to our community. I want to thank all of the volunteers and organizers at the Toronto International Film Festival for doing such a great job—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Shafiq Qaadri:** My question is again to the Minister of Tourism. This weekend, thousands of visitors from around the world flooded to Toronto to participate in the 34th annual Toronto International Film Festival. Since the film festival's humble beginnings in 1976, it has grown in reputation and stature as the largest public film festival in the world and an important hub for the film industry.

Earlier this month, the minister announced that the McGuinty government is investing \$10 million to support the completion of the Toronto International Film Festival Bell Lightbox. Once complete, the Bell Lightbox will serve as the new permanent home of the Toronto International Film Festival. Can the minister please inform this House why the government is investing \$10 million to help the film festival complete this new home?

**Hon. Monique M. Smith:** I share my love of the festival with the Minister of Culture.

**Hon. M. Aileen Carroll:** The McGuinty government's \$10-million investment in the TIFF Bell Lightbox is an important recognition indeed of the value of Ontario's film industry and the cultural sector as major economic drivers in this province.

As a result of our investment, about 1,300 construction jobs will be created, and when completed there will be in excess of 150 full-time jobs at the facility next year. Within five years of its opening, it's anticipated that the TIFF Bell Lightbox will host over 4,000 events, attract two million visitors annually and generate \$200 million in economic activity. I can't think of a better investment. I'm sure this House would join me in that opinion.

#### ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** My question is for the Premier. Both opposition parties have given notice to the Speaker that we intend to raise a very serious matter with him. It has to do with representations the Premier and the Minister of Health made to members when they were scrambling to get a handle on the scandal at eHealth.

On June 2, the Premier and the minister told this House four times that PricewaterhouseCoopers was retained to do a review. On June 3 and 4, the minister repeated the claim nine more times. Premier, this wasn't a mistake, a slip of the tongue; it was repeated, repeated and repeated. Why would you and your minister provide this House with misleading information?

**The Speaker (Hon. Steve Peters):** I just ask the honourable member to withdraw that comment, please.

**Mr. Robert W. Runciman:** I withdraw—totally inaccurate information.

**Hon. Dalton McGuinty:** I think I indicated before, and I'm pleased to do it again, that it was certainly my understanding. I thought that technically there had been a retainer and this was prepared to go in that. But I think what's really important here is the advice that we received from the Auditor General, who thought that there would be an overlap between the work done by PWC and the auditor's office itself. So we've acted on the basis of that advice and we've turned the work exclusively over to the auditor.

I know this is an important point for my colleagues opposite, but I think, from an Ontario perspective, what they really want to know is whether we're going to get to the bottom of this and to do so in the most objective way, and that's exactly what the Auditor General's going to do.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** Well, I think the Premier said earlier, "What we owe Ontarians," and as my leader said, we owe Ontarians the straight goods, the real facts. Between June 1 and June 4, the Premier and the Minister of Health said 28 separate times that the eHealth board was directed to engage an external reviewer. However, in the middle of the summer, the eHealth board announced that no such review was taking place; there never was a contract. We don't know if this is a figment of someone's imagination, but Premier, the public and these government ministers who give this House accurate information, words they can trust—clearly, your minister can't be trusted. He's lost all credibility. When will you demand Minister Caplan's resignation?

**Hon. Dalton McGuinty:** Again, I think what is important in the circumstances is for us to ensure that there is a thorough, comprehensive review of all matters at eHealth, including the very issues, should the Auditor General so choose, that my honourable colleague is raising at this particular point in time. He's certainly free to look at that as well. I think he is the holder of the office of which we can all continue to have confidence. What we owe him now is our patience, our support in any way possible, and then, when he does provide us with both his findings and his recommendations, we will have an obligation to act on those recommendations. We look forward to receiving them.

#### TAXI OPERATORS

**Mr. Michael Prue:** My question is for the Minister of Municipal Affairs and Housing. In the last Parliament, there was all-party agreement to pass laws to come to the



aid of limousine drivers at Pearson airport, particularly in the provisions of anti-scooping. This was contingent, though, upon the city of Toronto having the authority to license cab drivers within its jurisdiction, and that was given by all-party agreement with the City of Toronto Act. The minister has now seen fit to revoke unilaterally the city's authority without consultation and without explanation.

My question: Can the minister explain to Torontonians and especially to the hard-working cab drivers, who will be demonstrating at the Legislature today, why he did this?

1110

**Hon. Jim Watson:** We did this because this was the fair thing to do to be equitable to both taxi drivers and limousine drivers from the airport. Nothing has changed, because in fact the city of Toronto did not enact the particular bylaw the member is referring to.

I quote from the Toronto Star editorial that said:

"Queen's Park is right to quash a Toronto bylaw banning airport limousines from picking up fares on their return trips....

"The province has opted to give Torontonians continued access to choice. That is a greater good, and the minister is right to defend it."

We did the right thing and, regrettably, perhaps some of the city of Toronto and some cab drivers are not pleased with it, but we think it was unfair to allow an empty vehicle to come downtown at a prearranged call and then go back empty to the airport. It was both an environmental issue and an economic issue and a matter of choice.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Michael Prue:** There are 10,000 cab drivers in Toronto who drive to the airport and can never—never, ever—bring a cab fare back, because that's what you want to happen. I want to know, Mr. Minister, where's the choice there?

This is not acceptable, because for you to unilaterally act, you have to explain why it was necessary or desirable in the provincial interest to take away rights and privileges that your government itself gave at the passage of the bill. Many of the cab drivers in Toronto live below the poverty line and they work long, hard hours to see you act in such a unilateral and unfair way. How is your revocation going to help them?

**Hon. Jim Watson:** The honourable member is incorrect. An individual cab can go and pick up a prearranged fare at the Toronto airport in Mississauga, so the honourable member should get his facts straight.

Secondly, this is all about giving consumers choice. If an individual in downtown Toronto wishes to have a prearranged limousine pickup, they should have the right to do that. They've had the right to do that, in essence, for close to 15 years, so nothing is changing for those consumers. So we're looking out for the interests of the consumers.

We also admire and respect the hard work that cab drivers are engaged in, but they do in fact have the right

to go to the Toronto airport for a prearranged pickup by paying the fee and picking up people at the Toronto airport. Nothing has changed. We're giving consumers the kind of choice that we believe they deserve to have and that they've had for close to two decades.

## AFFORDABLE HOUSING

**Mr. Yasir Naqvi:** My question is also for the Minister of Municipal Affairs and Housing, and it's a question about affordable housing. Minister, as you're well aware, many vulnerable Ontarians are in need of a safe, clean and affordable place to call home. It's a topic we read about in the papers, and we discuss with friends the need for action. But we often forget that they are our neighbours, members of our community and people who have a contribution to make. They just need that extra help up to get their lives on the right track.

This August, I convened an affordable housing consultation in my riding of Ottawa Centre, where a large and diverse group discussed our community's affordable housing needs candidly and productively. I know that your ministry, including you personally, Minister, have been travelling across the province consulting community members, housing providers and other interested advocates to develop a long-term affordable housing strategy. Can you tell the House how many consultations the ministry will be undertaking and what we are learning from them?

**Hon. Jim Watson:** I want to thank the honourable member for the question. We've had the opportunity to have close to 12 consultations throughout the province of Ontario, from Lindsay to Windsor to Ottawa to Toronto—we are going to Thunder Bay—and the turnout has been exceptional. We've had hundreds of people turn out at these events and they've brought forward goodwill, good ideas and good suggestions that we want to feed into a long-term affordable housing strategy. The mood has been—

**Mr. Paul Miller:** We've got to crash the party. We can't get invited.

**The Speaker (Hon. Steve Peters):** It's nice. The reference was made to the students having returned to school, and I would just remind the honourable members to remember those days when they were in a classroom and having respect for one another when they were speaking.

Ten seconds.

**Hon. Jim Watson:** I want to thank the honourable member from Hamilton East because he's been the only member of the NDP that has actually shown up to the public consultations on affordable housing.

We look forward to bringing forward a thoughtful document, making it more accessible for people to get affordable housing in the province—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Yasir Naqvi:** Thank you, Minister. I think you would acknowledge yourself that as productive as these



consultations are, they are not building homes today. The economic situation we have found ourselves in for the last year has made those problems more pronounced. More Ontarians are in need of support from all levels of government, whether it is employment insurance, Ontario Works or other forms of social assistance. Ontarians have needed our help and support in greater numbers. In economic circumstances such as these, it makes the need for affordable housing even more pronounced and necessary. While it is great to develop plans for the long term, Minister, how are we dealing with these problems in the short term?

**Hon. Jim Watson:** The honourable member is quite correct. While we're looking at the long-term affordable housing strategy, we're not waiting. We actually have committed close to \$622 million in Minister Duncan's budget, which is matching the federal contribution for affordable housing. That \$1.2 billion, which is the single largest amount of money put into an affordable housing program in such a short period of time in Ontario's history, will see 4,500 new housing units built over the next two years and 50,000 existing housing units repaired or renovated—because some of these units are in deplorable shape. We want to make sure that we get the money to the housing providers, such as, the honourable member is well aware, in his own riding, on Caldwell Avenue. A unit is going to be retrofitted and repaired—receive \$5.4 million to help some of the most vulnerable people in our society.

I thank the people who have attended those public consultations. I look forward to drafting the report over the course of the next several months.

#### ELECTRONIC HEALTH INFORMATION

**Mrs. Christine Elliott:** My question is for the Minister of Health. On June 1, Minister, you told the members in this chamber that you had met with the now former chair of the eHealth board, Alan Hudson. You stated that you directed the board to undertake a third party review of eHealth and that they were moving in that fashion. But we now know they weren't moving in that fashion at all. Minister, what evidence did the board provide to give you the confidence that they were actually acting in that fashion?

**Hon. David Caplan:** I also want to congratulate my colleague on her new critic position.

In fact, I did meet with Dr. Hudson in regard to this matter. I said to him that related to financial controls and management practices, I wanted a third party review. The board then met with PWC to go over the scope and the estimate of cost for that audit. In that period of time, the Auditor General took the step of contacting the board and in writing informed the board that he had expanded the scope of his audit, that he was concerned about duplication, and it was his recommendation that it stand down. The board contacted me in writing with this information from the Auditor General—an independent officer of this Legislature—and I directed them similarly in writing to follow the direction of the Auditor General.

#### The Speaker (Hon. Steve Peters): Supplementary?

**Mrs. Christine Elliott:** You did say on June 3 in this House, "It's important not just for eHealth, but for all of us who have the privilege of serving Ontarians, including, I would say to the member, every member of this Legislature. That's why I directed the board to undertake a third party review, and in fact, the board has engaged PricewaterhouseCoopers...."

It's clear that the minister has no idea what's going on in his troubled ministry. Why did you scrap this review when it was clear that they were going to be running on both tracks?

**Hon. David Caplan:** I have here a letter from Rita Burak, the chair of eHealth, where she says, "The board immediately engaged with our external auditors and your appointee, to establish the terms of reference for the review. Staff of the provincial Auditor General's office and eHealth Ontario has met to ensure that the conduct of the Auditor General's review and the board's review were not duplicative and that the process could be handled smoothly." In fact, that's exactly what I said to this House: that there was that engagement of the board and of PricewaterhouseCoopers that did take place.

Of course, as the member is now aware, or, I hope, was aware previously, the Auditor General took the step to inform the board that he was concerned about duplication of work between the external auditor and himself. He in turn asked the board to stand down because of that duplication. I directed the board to follow the direction of an independent officer of this Legislature.

#### TAXATION

**Ms. Andrea Horwath:** My question is to the Premier. As I have been knocking on doors in St. Paul's, I've heard a lot of concern about this government's harmonized sales tax grab. Tenants are especially worried about the HST's impact on rents. The Federation of Rental-housing Providers says rents will rise between 2.5% and 3% with the HST. The Federation of Metro Tenants' Associations says the tax on renovations and utilities will put upward pressure on rents. Why is this Premier bringing in a tax that will make housing less affordable in the province of Ontario?

1120

**Hon. Dalton McGuinty:** I just want to reassure my colleague, and Ontarians generally, that the single sales tax would not apply to rents, and she knows that.

There are a number of important issues that have been raised in the by-election in St. Paul's, including the Wychwood Barns, which is an important community meeting place, and the Winona public school pool. Voters are pleased that we made a contribution to the Toronto board so that they can invest in their pools.

Tenants want to know that we will continue to do everything that we can to keep the rents low. I think they have been fairly, to state, impressed that we've had some of the lowest rent guidelines ever. There are issues regarding schools and hospitals, the OCB, public transit,



so it's more than just a single sales tax, I think, in fairness to voters in that riding.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** I think the Premier would be interested to know that when I was at the Wychwood Barns on Saturday morning, people were not happy about the harmonized sales tax. Even the Liberal candidate in St. Paul's realizes that the HST is bad for tenants. He's written to the government asking for protection for tenants from rent increases. I noticed that there has been no reply as yet.

The harmonized sales tax will make renting more expensive in this province. How can this government say that the HST will have no impact on rent when the people who own rental units and the people who rent them say it will, and your own candidate in St. Paul's says that it will?

**Hon. Dalton McGuinty:** To the Minister of Municipal Affairs and Housing.

**Hon. Jim Watson:** This is dangerous territory that the honourable member from the NDP is going down, because when the NDP were in office, rent increases consistently went up higher than the rate of inflation: rates like 3%, 2.6%, 2.9%. This year's guideline under the McGuinty government is 1.8%. The previous year's was 1.4%. So the good people of St. Paul's should know very clearly, under the NDP, rate increases went up substantially above the rate of inflation. We have now, as a result of change to the Residential Tenancies Act, tied rent increases to the rate of inflation. It's transparent. It's simple to understand.

The renters of St. Paul's should stand up for the Liberal candidate because he's going to stand up for them and protect them from excessive rent increases that were the hallmark of the NDP.

#### CONTAMINATED PROPERTY

**Mr. Jean-Marc Lalonde:** My question is for the Minister of Natural Resources. As you know, the CIP wet lagoon is highly polluted in the area of the town of Hawkesbury. The Canadian International Paper Co. left behind a waste water pond when it closed its doors in 1985. My constituents are understandably concerned about the threat to the environment that this sludge-filled lagoon presents.

There have been many rumours and much misinformation about what will be done to rehabilitate the site. I held a press conference in my riding on September 4 to address the concerns of my constituents.

Will the minister state for the record what plans are in place to get the restoration project off the ground and the cleanup started?

**Hon. Donna H. Cansfield:** I'm pleased to be able to respond to the member. The member from Glengarry-Prescott-Russell asked me to go to his riding back in 2008 to look at this wet lagoon, which in fact was left by a Canadian International Paper, a wet lagoon that has a safety hazard issue—and remember, this was a time

when there was no legal obligation on behalf of companies to take up their responsibilities to deal with the environmental impact.

What we've done is invested about \$1 million. We've fenced the area. We've ensured that there's a safety concern—and an eyesore, obviously. But also we're working very closely with the Ministry of the Environment, with Mayor Charlebois of Hawkesbury, who has been superb, her and her council, as to how we move forward to ensure that we take responsibility and clean up this wet lagoon. That is exactly what we're going to do. We have a process that's been put in place. It's public, it's open, it's accountable. We're going to ensure that in fact the lagoon is cleaned up so that the people of Hawkesbury can have a—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Jean-Marc Lalonde:** The cleanup of the CIP lagoon has been one of my top priorities for a long time now and I am anxious to see the project progress. Hawkesbury has one of the most beautiful downtown areas in eastern Ontario, and not only is the lagoon an eyesore, it is also stopping the development of Main Street.

Can the minister be more specific as to what the next steps of this project will be, as well as what possible future uses are envisioned for this site?

**Hon. Donna H. Cansfield:** The ministry has been working, as I indicated, with the mayor of Hawkesbury, the town of Hawkesbury and the Ministry of the Environment. Earlier this year, we did an environmental assessment, and that's completed. A closure plan was developed in conjunction with MOE. We're currently in the process of tendering for the detailed engineering design.

In terms of next steps intended, there's a pilot test work that will be conducted this summer and fall of 2010. That also includes testing for the best way to handle the organic materials currently found in the lagoon. We're also going to put in detailed environmental monitoring and we're going to do full closure work that's scheduled to commence in 2011.

We're going to find the most efficient way, as well as the most economical way, to clean up this site so, ultimately, it can be the site for the people of Hawkesbury, where they can use the land for recreation and where they can have a chance to actually get to the river. They'll end up with a cleaner site and a better place for the city.

#### LAND TRANSFER TAX

**Mr. Norm Miller:** I have a question for the Minister of Finance. Minister, you will recall that during estimates this summer, I asked for you to review your ministry's decision to retroactively apply a land transfer tax to fractional ownership units. Have you undertaken that review and have you reconsidered your position on this tax grab?

**Hon. Dwight Duncan:** To the Minister of Revenue.



**Hon. John Wilkinson:** I want to thank the member for the question. Many members in the House have raised this with me.

We want to let people understand that fractional ownership has been something that's been around in this province since the late 1990s, and land transfer is applied to fractional ownership. Normally, people pay it because they register at the land registry office, and some people have not been doing that. So in the province of Ontario, some people have been correctly paying their land transfer tax and others have not. We've been working with the associations involved to ensure that there is a fair and equitable application of the tax to all. It would be unfair for some to pay and others not to, and some have indeed followed the letter of the law and paid that.

That said, I'm more than happy to work with the organizations that are involved with—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Norm Miller:** What is clear is you're going back seven years and you're reinterpreting the rules.

At a meeting this summer with ministry officials, it was clear that staff were not familiar with fractional ownership. Fractional ownership is closer to time share; it's closer to a club membership. Fractional-ownership owners face many restrictions. They can't vote, for example, in a municipal election.

Minister, will you commit today that you won't retroactively tax fractional-ownership units and that you won't bring in any more retroactive taxes?

**Hon. John Wilkinson:** Let's be very clear: On this side of the House, we expect people to pay the taxes that are owing under the law. In this case, the law is very, very clear as to the application.

My understanding is that the definition that is currently being used was something that was brought in when the member was in government. It is very, very important that we apply taxation fairly and equitably. Some people in this province with the fractional ownership have correctly paid that tax. It would be unfair to them if we were not to apply it equally.

That said, I'd be more than happy to work with the member and other members who are involved in this situation to ensure that that tax is applied fairly and in an equitable way. I'd be more than happy to meet with the member and to discuss this issue further to find a fair and equitable resolution of this situation.

1130

## HOSPITAL FUNDING

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée. Earlier this year, the Sudbury Regional Hospital was forced by your ministry into the difficult position of looking at cuts to its budget, staff and services. The hospital told the ministry that the only way they can balance their budget is if your ministry helped solve the alternate-level-of-care crisis. The Sudbury alternate-level-of-care community steering

group studied the issue and presented their recommendations, and since June we have been waiting for your response.

Minister, your decision is overdue. My question is simple: When can the Sudbury Regional Hospital and all of its partners expect a decision from this minister?

**Hon. David Caplan:** I thank the member for the question. I want to assure the member that the hospital, the North East Local Health Integration Network and the ministry are working together to finalize a solution that is in the best interests of the people of Sudbury and the people of northeastern Ontario. All of the parties are making decisions to ensure the sustainability of Sudbury Regional Hospital.

I can assure you that my colleague the Minister of Community Safety and Correctional Services has ensured that I'm aware that Sudbury does face unique ALC pressures. That's why we've recently invested more than \$10.5 million to the North East LHIN for the aging-at-home program. The program ensures that more seniors can get the care they need at home, which helps reduce the number of alternate-level-of-care patients and beds.

I'm going to share with you in supplementary some of the other steps that we've taken in order to partner with and to invest in this—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**M<sup>me</sup> France Gélinas:** The people of Sudbury have been waiting 15 years for a new hospital. The transition needs to be carefully planned so that this extremely long and tumultuous journey becomes a success we can all be proud of. The Sudbury Regional Hospital will finally be on a single site. The hospital is planning to use the soon-to-be-empty memorial hospital site as a temporary long-term-care home for ALC patients, but planning is seriously compromised by the delay in this minister's decision. Will the minister do the right thing, help solve the ALC crisis, make the transition to the one hospital site a success, and fund the memorial site solution for the ALC crisis?

**Hon. David Caplan:** I thank the member for the question. I did mention I would highlight some of the investments, but I want to assure this member and all members that I will not do what happened 15 years ago, which was a 3.6% cut to hospital funding. I believe that this member was on the district health council that advised the NDP Minister of Health at the time. In fact, it was this government which got the construction of the new Sudbury Regional Hospital going. It was because of the member from Sudbury, my colleague the minister, that that advocacy was done.

I want to assure the member that I'm aware and working on a plan to ensure that patient care is not disrupted during the transition time. We're on track with the Sudbury redevelopment—

*Interjection.*

**Hon. David Caplan:** Well, The member doesn't want a history lesson, but that's the context, my friend, about what's happened.



This plan will include the use of the memorial site as a transitional facility for ALC patients as the new long-term-care beds come online.

### IMMIGRANTS' SKILLS

**Mrs. Linda Jeffrey:** My question is to the Minister of Citizenship and Immigration. Ontario welcomes more than 114,000 newcomers each year. These newcomers have the skills and expertise that our businesses need to compete at home and abroad, and helping these newcomers enter the workforce should be a priority now more than ever. Investing in our newcomers is also an investment in Ontario and its economy. We need to make sure they have the opportunities to get the training they need to find the jobs in their chosen field.

We're fortunate to attract so many skilled newcomers, and providing these individuals with the right opportunities to put their skills and knowledge to use leads to personal success, but it also gives Ontario an edge on the national and international stage.

Minister, what are we doing to ensure that Ontario's newcomers are going to come out of this economic recovery stronger than ever?

**Hon. Michael Chan:** I want to thank the honourable member for her question. Supporting newcomers entering the workforce is a key priority of this government. Successful entry into appropriate fields for newcomers undoubtedly strengthens Ontario's workforce and our economy. We are committed to doing just that: strengthening our workforce, strengthening our economy while investing in our newcomers.

Our government recognizes the potential skills that workers bring to Ontario. Since 2003, our government has invested more than \$120 million in over 180 bridge-training programs, helping 30,000 newcomers get licensed and get jobs.

We are proud of our record when it comes to supporting newcomers, because we know that when newcomers succeed, Ontario succeeds.

**The Speaker (Hon. Steve Peters):** The time for question period has ended. This House stands recessed until 1 p.m.

*The House recessed from 1136 to 1300.*

**The Speaker (Hon. Steve Peters):** Introduction of visitors? Seeing none, the member for Leeds–Grenville, on a point of order or a point of privilege?

### ELECTRONIC HEALTH INFORMATION

**Mr. Robert W. Runciman:** It is a point of privilege. I'm rising on this point for a matter on which the member for Welland and I gave you written notice earlier this morning. It relates to the statements the Premier and the Minister of Health made in this House about the steps they had taken to get to the bottom of the egregious misuse of public funds at eHealth Ontario, an agency of this government.

Speaker, as you will recall, the scandal at eHealth dominated question period during the last week of the spring session; that is, Monday, June 1, through Thursday, June 4. During those four days, the Minister of Health made repeated statements that he had ordered the board at eHealth to conduct a third party review of eHealth Ontario's management practices.

On June 2, the minister reported to members that PricewaterhouseCoopers had been retained to conduct that third party review. On the same day, the Premier also made it clear to this House and to Ontarians that PricewaterhouseCoopers was retained and that we should wait—referring, I guess, to the opposition—for the PricewaterhouseCoopers report before his government takes action.

In July, information came forward to show that PricewaterhouseCoopers was not retained, as both the Premier and the Minister of Health had earlier advised this House.

On August 11, Deanna Allen, a senior vice-president at eHealth, was quoted in a Canadian Press article as saying, "There was no contract in place, the board never reached the point where it signed a contract with PWC for the specific audit." The same article goes on to quote a spokesperson from PricewaterhouseCoopers stating that PWC "wasn't engaged with them (eHealth) whatsoever."

Speaker, the discrepancy between what the Premier and the minister told this House and the facts reported by PricewaterhouseCoopers and eHealth cannot be reconciled.

Earlier today, in question period, the Minister of Health outlined reasons why the eHealth board never proceeded with a third party review, but regrettably, he failed to address the issue he was asked about and the issue we're speaking to today: his assertions, supported by the Premier, that PricewaterhouseCoopers had been retained to conduct such a review—no equivocation.

Those totally inaccurate responses were, in our view, used to avoid responding to serious questions dealing with extensive abuse of tax dollars.

I think it's important to note that neither the Premier nor the minister ever once suggested the PricewaterhouseCoopers review as a possibility to be merely explored. Their language in the House shows consistently that not only was PricewaterhouseCoopers the firm selected to do the work, but also that the task of retaining them was a *fait accompli*. I'll explain with a few brief examples taken directly from Hansard:

On June 1, Minister Caplan said in this House, "That's precisely why I met this weekend with Dr. Alan Hudson, the chair of the board, and directed the board to undertake a third party review of the management practices at eHealth Ontario. In fact, the board has met and they are moving in that fashion."

On June 2, Minister Caplan said, again in the House, "That's why in fact PricewaterhouseCoopers has been retained...."

On June 2, the Premier said in this House, "I think we need to wait for the report coming from PricewaterhouseCoopers." On June 2, the Premier also said in the House,



"But we need to get the best advice from PricewaterhouseCoopers...."

On June 3, Minister Caplan said in this House, "... and in fact, the board has engaged PricewaterhouseCoopers...." On June 3, Minister Caplan also said in this House, "In this case they have taken on PricewaterhouseCoopers...."

On June 3, Minister Caplan further said, in this House, "That's why in fact PricewaterhouseCoopers has been retained...."

And if that wasn't enough, on June 4 the minister said the following in this House: "Of course, the member raises concerns, and both the Premier and I have said we neither condone nor defend the actions, which is why we moved quite swiftly to bring in and to order a third party review, under the auspices of an internal government auditor, in conjunction with PricewaterhouseCoopers, to be able to conduct that investigation."

At this point you have to ask yourself: How could two people so highly placed in this government get their facts so wrong? It's highly probable that a Premier responsible for a \$108-billion budget and a minister responsible for \$42 billion of that total would have checked their facts at some time between June 1 and June 4.

Let's fast-forward to July, when we were told that the PricewaterhouseCoopers review was being cancelled. We didn't hear this from Minister Caplan. There was no statement or press release. Once again, eHealth was operating by e-stealth.

And it gets worse. On August 11, in a Canadian Press article, Deanna Allen said the following: "There was no contract in place, the board never reached the point where it signed a contract with [PricewaterhouseCoopers] for the specific audit." Deanna Allen is a senior vice-president at eHealth.

The article also includes another quote, this one from a PricewaterhouseCoopers spokesperson, who stated that their company "wasn't engaged with" eHealth "whatsoever."

As I mentioned earlier, we initially learned the review was being cancelled, but in fact the situation was much more damning. PricewaterhouseCoopers had never been retained for the purpose of conducting the eHealth Ontario review, so it's fair to say the idea never even got off the ground. I will repeat here that neither the Premier nor the minister ever once suggested that the PricewaterhouseCoopers review was just an idea up for discussion.

I hope everyone here gets the point I'm trying to make, Mr. Speaker: Hansard speaks for itself. Both the Premier and Minister Caplan clearly gave misleading responses to members on several occasions on the same issue. And I hope you feel that my arguments, based on the balance of probabilities, are strong enough to raise concerns related to motive.

**The Speaker (Hon. Steve Peters):** I'd ask the honourable member to withdraw the comment that he made, please.

**Mr. Robert W. Runciman:** I withdraw.

I will repeat that, Speaker, in case you were otherwise engaged: I hope you feel my arguments, based on the balance of probabilities, are strong enough to raise concerns related to motive. If not, I would respectfully remind the Speaker that he is empowered to exercise options that a civil court judge would likely envy. One of those options, based on precedent, would be to allow a committee of peers to further investigate this important matter.

Mr. Speaker, I refer you to a ruling in the House of Commons dated February 1, 2002. In this particular case, MP Brian Pallister argued that former National Defence Minister Art Eggleton should be held in contempt for misleading the House on precisely when he had been informed about the involvement of Canadian troops in taking prisoners in Afghanistan.

In his ruling, the Speaker stated that while he was prepared to accept the minister's claim that he had no intention of misleading the House, the minister's contradictory statements in the House deserved further consideration by an appropriate committee. The Speaker invited Mr. Pallister to move a motion to refer the matter to the Standing Committee on Procedure and House Affairs. That's the equivalent to our Standing Committee on the Legislative Assembly. Since standing order 108(g) authorizes our Speaker to refer matters directly to the Standing Committee on the Legislative Assembly, such a motion would not be required in this case.

The rules don't allow me or my colleague in the NDP to call witnesses before the House to substantiate our position, but witnesses can be called before a committee. We would all have more time in committee to find answers to the concerns that we and I have raised here today.

1310

Mr. Speaker, I appreciate that you have a difficult decision ahead of you. However, your ruling on this matter can play a pivotal role in helping to maintain the integrity of this chamber and the members who come here to serve the public. I respectfully submit that a *prima facie* case of contempt of this House has been made.

**The Speaker (Hon. Steve Peters):** The member from Welland on the same point of privilege.

**Mr. Peter Kormos:** Thank you kindly, Speaker. I'll not be lengthy. I'm going to make it very clear: The facts are very simple, and there's nothing equivocal about them. The New Democrats join with the official opposition in this point of privilege and this appeal to the Speaker.

Look, we're not talking about a neophyte backbencher, newly elected, who may have misused language inadvertently with no goal in mind. And indeed, there have been many occasions where honourable members have stood up in this House gladly to correct their record when they've been told by staff, when they discover via other means, that something they've said here is less than accurate. That's a highly respected response when one discovers that they've said something that may not have reflected the truth in all of its glory. The language is very



clear, and again, it's a Premier and, at this point, a long-serving cabinet minister, both of whom have a great deal of political skills.

Let's put this in context: The heat was on the government. Problems were just erupting. Freedom-of-information requests were giving results on a daily basis. The press were running wild with it, with a whole lot more to come. Nobody envies a government in that position, even though they may be the authors of their own misfortune. Everybody here who's been in various governments understands how uncomfortable that is. Governments appropriately and instinctively try to spin their way out of these problems, and although not a particularly creative response, in this case the government said, "We will fix it. We'll instruct the board to hire an arm's-length firm to examine the matter and give a report back."

Let's understand what the purpose was. I'm not imputing motive; I'm saying what the purpose is in doing this. It's a response to political heat that's become somewhat unbearable, but, ah, you're blessed with the prospect of a summer break—this is not the first government to have done it; I've seen a few other governments do it in the course of my years here—and you hire the outside consultant.

As the Premier says, "I think we need to wait for the report coming from PricewaterhouseCoopers." The Premier doesn't say, "The report that may come, should in fact their retainer be completed." Minister Caplan: "We've engaged"; "we've taken on"; "we've retained." "Retained" means, as everybody here knows, to secure, to engage in. They used language over and over again that makes it very clear that they're not merely contemplating PWC or some other third party, but that they're doing it, that they've done it, and now everybody should just calm down until PWC delivers the report.

I've got two problems here. One is privilege. I'm mindful—and I just read it again—and I know you are and other members here are of the October 1989 Speaker Fraser ruling from the Canadian House of Commons, where he said that "all breaches of privilege are contempts ... but not all contempts are ... breaches...."

With respect, I think we have two things here: We have a breach of privilege and a contempt. The mere fact of stating an inaccuracy in such a highly sensitive political context and leaving the opposition with a serious misimpression, as well as the public of Ontario—that mere fact, in my respectful submission to you, is a contempt. It could have been addressed promptly. Surely—look behind you, Speaker. You've got minions and staff listening to the minister's responses and listening to the Premier's responses on a daily basis, who should have been—and, one can only fairly infer, indeed were—prepared to tell their boss that no, he wasn't quite right. They didn't say it just once; they said it over and over again, and they relied upon it. They relied upon it in here and out there: one, contempt; two, privilege.

We rely upon the, albeit meagre, responses. It's pretty thin gruel many a question period. But we rely upon their say-so to understand what the facts are. There's a

reason—several reasons—why you can't accuse somebody of misleading the House, because one is presumed to be stating accurate facts, and, more so if one, being presumed to state accurate facts, misstates a fact, the honourable, conventional thing for that person is to correct their record promptly.

So we've got an interference here with the ability of other members of the House to do their jobs—quite frankly, even the ability of government backbenchers, because I'm sure they believed their Premier and their minister colleague when their Premier and Minister Caplan sent them home on the weekend saying, "Tell folks this is the response." Come on. We've all been around here a while. These are the lines. "If everybody sticks to the same line, we'll be okay." Your response is, "We've retained PricewaterhouseCoopers. They're going to do a full audit. Let's wait for them to determine what the real facts were" in this godawful expenditure abuse.

There may be some who would try to trivialize this, who say, "Well, in the end, in the total scheme of things, it really didn't make a difference because, after all, the Provincial Auditor got involved." That's not the point, Speaker. That's not the point.

I took a look at Griffith and Ryle on Parliament: Functions, Practice and Procedures—that's the Australian authority—a very valuable bit of information on contempt at page 137. "Here we list the main types of contempt, and give a few examples of actions (by members and others) which have been found to be contempts, with emphasis placed on those still significant today"—bear with me, Speaker; I want to create context here. "(1) Misconduct by members or officers as such, e.g. deliberately misleading the House...." That's boldface type. The authors are saying this is still very, very relevant.

You don't have to make any determination of deliberate misleading, Speaker. We're prepared to live with the fact that, in the first instance, neither the Minister of Health nor the Premier had full possession of all of the accurate facts. What we're not prepared to live with is that they didn't correct the record at the earliest opportunity. Only when they got burnt by staff people outside of government did they even have to confront it, and then they avoided it.

That, Speaker, is the serious element of this incredible series of events. You don't have to make a finding of deliberately misleading, and we're not asking you to do that. But I'm suggesting to you, sir, that if you find that that Premier and his minister misstated the facts, clearly with the goal of providing a panel of political asbestos, and repeated it hoping to merely cruise through this, knowing or, quite frankly, at this point, ought to be knowing that there was no taking on, there was no retainer, there was no engaging and there was nothing being done that would give us any confidence that there would be a report to be read, as the Premier told us to wait for, it's not fair to the people of this Legislature. It's not fair to the people of Ontario either, Speaker.

We need you. Obviously, our efforts in question period are not particularly fruitful. We need you to ensure that



no member of this Parliament, least all of the Premier, be permitted to distort the facts in a self-serving way and then persist in maintaining their version only until they get caught. The people of Ontario and we expect more, sir.

**The Speaker (Hon. Steve Peters):** The government House leader on the same point of privilege.

1320

**Hon. Monique M. Smith:** Yes, the facts are quite simple in this case, I would agree, from the member from Welland. There is no case of contempt and there is no breach of privilege. In fact, I would suggest that the members opposite should be quite careful in their request for your ruling on this, in that alleging that a member has misled the House is, in fact, out of order.

The place for this question to be dealt with would be question period. It was dealt with in question period today. I refer the members opposite to Minister Caplan's answer in today's question period. This is what he said: "The board immediately engaged with our external auditors and your appointee, to establish the terms of reference for the review. Staff of the provincial Auditor General's office and eHealth Ontario have met to ensure that the conduct of the Auditor General's review and the board's review was not duplicative and that the process could be handled smoothly." In fact, that's exactly what I said to this House, that there was that engagement of the board and of PricewaterhouseCoopers that did take place. Of course, as the member is now aware—or I hope was aware previously—the Auditor General took the step to inform the board that he was concerned about duplication of work between the external auditor and himself. He in turn asked the board to stand down—he being the Auditor General—"because of that duplication. I directed the board to follow the direction of an independent officer of the Legislature." That's a draft of Hansard from this morning.

On the question of point of privilege, I would like to refer to a couple of precedents for your reference as you make a ruling on this, Mr. Speaker. The first point of privilege was raised by Mr. Kormos himself in June 2002. Speaker Carr ruled against his point of privilege on June 17, 2002. I'm surprised that the member from Welland didn't refer to his own precedent, perhaps because Speaker Carr at that time was quite clear in setting out in his ruling exactly what the threshold was when dealing with a question of privilege.

I will quote from his ruling from Hansard dated June 17, 2002:

"On Monday, June 10, the member for Niagara Centre, Mr. Kormos, raised a point of privilege concerning statements made to the press by the Premier and to the press in this House regarding the Minister of Energy relating to executive compensation.

"The member contended that apparent contradictions between statements on this subject by the Premier and the minister and other apparent contradictions between statements made by the minister on different occasions left room for one to draw the conclusion that the minister had

exhibited a lack of forthrightness when addressing the House. As a result, the member invited me to find the minister to be, *prima facie*—

*Interjection.*

**Hon. Monique M. Smith:** Thank you, Mr. Speaker. I believe that this side of the House was quite respectful in their submissions, and I would ask the same indulgence from the members opposite.

"The Minister of Energy also briefly addressed the point of privilege and discounted the validity of the member's contentions."

This is Speaker Carr: "I have reviewed the material supplied by the member for Niagara Centre, together with the relevant authorities and precedents. As the member for Niagara Centre pointed out, Erskine May on page 111 of the 22nd edition, under 'Misconduct of Members or Officers,' states: 'The Commons may treat the making of a deliberately misleading statement as contempt.'" He then goes on to address a precedent from the Profumo affair, noting that "an essential component of this case is that Profumo deliberately set out in a prepared statement to purposely mislead the House and then did so."

Speaker Carr then goes on to say: "The threshold for finding a *prima facie* case of contempt against a member of the Legislature on the basis of deliberately misleading the House is therefore set quite high and is very uncommon. It must involve a proved finding of an overt attempt to intentionally mislead the Legislature. In the absence of an admission from the member accused of the conduct, or of tangible confirmation of the conduct independently proved, a Speaker must assume that no honourable member would engage in such behaviour, or that, at most, inconsistent statements were the result of inadvertence or honest mistake."

I'm going to jump forward a little bit in his ruling to just address the precedent that was raised by my colleague, the House leader for the official opposition, in dealing with Speaker Milliken's ruling on national defence minister, Art Eggleton. In that case, Mr. Eggleton concurred that contradictory statements had been made and that clarification of the reasons for this in a suitable forum was required. Secondly—and this is Speaker Milliken's ruling. Sorry; this is Speaker Carr's ruling. "Secondly, I see no precedential value to Speaker Milliken's ruling—within the ambit of parliamentary privilege—since, if the ruling is carefully read, it becomes apparent that a *prima facie* case of privilege was not explicitly found."

Now, in the conclusion of Speaker Carr's ruling: "I would generally be hesitant to appropriate for myself such an original, informal approach since the precedents, traditions and customs of this House around questions of privilege reveal a more definitive tendency. In my view, there are no shades of grey when it comes to parliamentary privilege, and I would not like to promote such a view by delivering a ruling that failed to address, squarely and solely on its procedural merits, the question raised.



"In the case at hand raised by the member for Niagara Centre, I can only find that I am left with what amounts to a genuine disagreement between two honourable members. As a result, I am unable to find that a *prima facie* case of contempt has been made out."

I would suggest that that is the precedent on which you should rely in making your ruling in this case. I would also direct you to the ruling of Speaker Cass on May 10, 1969, where there was another instance of allegations of a member having misled the House.

In this case, it is very clear that there is no point of privilege, there is no contempt and there is no breach of privilege in this matter.

**The Speaker (Hon. Steve Peters):** I would like to thank the member from Leeds–Grenville, the member from Welland and the government House leader for their comments. I would ask that any of you who quoted information—certainly, those rulings dealing with previous decisions in this chamber we will have access to. But any information that you can provide to me would be appreciated. I trust that the honourable members understand that there have been a number of points that have been raised here today and references to rulings not only made within this chamber but rulings within other Houses as well, and numerous references made to Hansard. So I ask that the House give me the opportunity to defer my ruling at this time to ensure that we undertake a comprehensive review of the points that have been raised and the opportunity to review the Hansard. I will deliver a ruling at the earliest opportunity.

## MEMBERS' STATEMENTS

### TAXATION

**Mr. Garfield Dunlop:** In just over nine months, the citizens of Ontario will be subjected to the largest tax increase in the history of our province. The DST, as we call it, will start on July 1, 2010.

Over the past few months, with the summer recess, I've had a number of opportunities to talk to tourism operators in different areas about how it will impact tourism in our particular province. I think of things like an economy that has already been shattered and where people are having a very, very difficult time in that tourism business. Outfitters etc. in the far north are having a very difficult time. I can tell you that things like golf courses—someone playing a round of golf on an average of \$50 will pay another \$4 in taxes on that. If you're going to take a ski pass with your family, it's a \$50 ski pass and another \$4. If you tie up your boat, whether it's a 12-foot runabout or a 50-foot yacht, you'll pay another 8% on top of that. It goes on and on and on. And already the tourism operators of the province of Ontario are suffering badly.

Without a question, all of the tourism operators I talked to said one thing: "It will cost jobs"—jobs for

young people, and already we're looking at an almost 20% unemployment rate amongst our young people and our students. I can tell you, they cannot afford to go through with this. In the end, it will cost jobs. The reality is, we have to stop this Dalton sales tax once and for all. It's a mistake and it will cost jobs for the citizens of the province of Ontario.

1330

### RIDING OF GLENGARRY-PRESCOTT-RUSSELL

#### CIRCONSCRIPTION DE GLENGARRY-PRESCOTT-RUSSELL

**Mr. Jean-Marc Lalonde:** On September 1, I had the pleasure to tour my riding of Glengarry–Prescott–Russell with 34 ambassadors and high commissioners from the four corners of the world. The purpose of the tour was to introduce the group to what Glengarry–Prescott–Russell has to offer to the world. The ambassadors were treated to a day-long tour of our riding. Stops included the high-tech Cloverhurst dairy farm in Cumberland, owned by the Edwards family; the St-Albert cheese factory; and Montebello Packaging in Hawkesbury, which recently won an award for its first-class toothpaste tube. The group also toured the Alexandria Moulding facility in Alexandria, and Potvin Construction cabinetmakers in Rockland.

Les gens de tous les continents ont constaté l'ampleur du futur parc aquatique Calypso.

Ils ont aussi reçu des visites guidées de Tulmar Safety Systems, Inc. et d'Alltech, deux entreprises dont les produits sont exportés à travers le monde entier.

Finalement, le groupe a reçu un tour privé de l'église Très-Sainte-Trinité de Rockland, la seule église catholique française désignée sous la loi du patrimoine.

Je voudrais offrir mes plus sincères remerciements aux ambassadeurs pour leur participation à cette tournée de Glengarry, Prescott et Russell.

### WALK OF HOPE

**Mrs. Elizabeth Witmer:** Today I rise to recognize the eighth annual Walk of Hope, which took place on September 13 and was hosted by Ovarian Cancer Canada in Windsor, Toronto, Ottawa and 11 other Canadian cities. I would like to congratulate all the organizers, the sponsors and the participants.

The purpose of the Walk of Hope is to raise vital funds for ovarian cancer research and to raise awareness about ovarian cancer, including the fact that if it is found early and treated, it has a survival rate which can be as high as 90%.

Each year, 2,500 Canadian women are diagnosed with ovarian cancer, and 1,700 will die this year. These women are our mothers, our sisters, our daughters and our granddaughters.



Yes, cancer continues to impact the lives of people of all ages. An estimated 63,000 cases of cancer were diagnosed in Ontario during 2007. Thirty-nine per cent of women have a probability of developing cancer in their lifetime. Although cancer mortality rates are expected to decline over the next decade, there will be a 40% increase in the number of people living with cancer, mostly due to our aging population. And so this walk was important. It helps to raise money for research and our awareness.

### BUS TRANSPORTATION

**Mr. Howard Hampton:** Just recently, Greyhound bus lines announced that they were about to abandon bus service in northwestern Ontario. Now, as bad as that announcement is, the response of the McGuinty government was even worse. The Minister of Transportation and the Minister of Northern Development were heard to say, "Oh, this is not a problem. There will be local providers who will step in and provide the service."

Once again, the McGuinty Liberals are missing in action when it comes to vital and important services in northwestern Ontario. The fact of the matter is, Greyhound has been abandoning services in northwestern Ontario for about the last five years. There has been little replacement of service by local providers, and where local providers have stepped in, in many cases, the service that is being provided is inadequate or impractical.

Imagine being a senior citizen living in the village of Rainy River and having to drive 100 kilometres to access the bus, or living in a First Nation community and not having a car and being told you have to drive 130 kilometres to catch the bus.

We're not talking here about frills. We're talking about people who need access to the bus to get to medical appointments in Winnipeg or Thunder Bay. We're talking about basic transportation services. The McGuinty government needs to act.

### RIDING OF STORMONT-DUNDAS- SOUTH GLENGARRY

**Mr. Jim Brownell:** First I would like to welcome all members back to the Legislature today. After an eventful summer, it is once again my pleasure to represent the constituents of Stormont-Dundas-South Glengarry as their member in this House.

It certainly has been a very eventful season in my riding. I am pleased to say that through the work of this government, my riding of Stormont-Dundas-South Glengarry has benefited from numerous funding commitments that will improve the quality of life of the citizens of my region and stimulate the local economy. Through programs like Rinc, Building Canada, the eastern Ontario development fund and many others, this government has committed over \$45 million in new infrastructure and social funding to just SD&SG alone.

Just last week in Winchester Springs, with the assistance of a \$1.85-million investment many from this government, the sod was turned on the first of four new salt storage sheds being built by the united counties of Stormont-Dundas and Glengarry.

There used to be a saying in my riding: "Ontario stops at Kingston." Not anymore.

*Interjection.*

**Mr. Jim Brownell:** That's right, Mr. Minister.

This phenomenal amount of funding demonstrates this government's commitment to eastern Ontario and to the entire province. It shows that we believe that all our citizens, regardless of where we live in the province, deserve the same opportunities, the same quality of infrastructure and the same level of service. It shows we will accept nothing but the best.

I would like to thank this government for the support they are giving to my riding and to the province of Ontario.

### ARCHIVES OF ONTARIO

**Mr. John O'Toole:** I rise today because of concerns over the service hours of access to Ontario's provincial archives. The Ontario archives are located in a new \$400-million home on the campus of York University. However, access to Ontario's collective memory is more than a matter of bricks and mortar; it is a matter of service accessibility and convenience. I am advised that the new building is only accessible during government hours of 8:30 a.m. to 5 p.m., Monday to Friday. In the past, the minister would know that the archives offered some weekend and evening hours, and a reading room. This helped clients who worked 9 to 5 or researchers who had to travel to the archives from distant parts of Ontario.

I trust that this government will recognize the importance of customer-friendly hours and reinstate the service on weekends and evenings. It's similar to the state of the private issuers' networks being eliminated. I would encourage the Minister of Government Services to reinstate the hours that best serve the public and the customer.

### RIDING OF NORTHUMBERLAND- QUINTE WEST

**Mr. Lou Rinaldi:** It's my pleasure to rise today to talk about the great summer we had in my riding of Northumberland-Quinte West. Many exciting things happened there this summer but one day in particular comes to mind: In mid July we had the honour to host the Premier for a day.

We began our day at the Port Hope Community Health Centre. This CHC is a welcome addition to Port Hope, whose hospital was closed by the prior, Harris government. I was excited and proud to show the Premier this new construction that was completed in May of this year and came in under budget. They now have 1,500 clients, with about 40 new registrants each week. The Port Hope CHC boasts two new doctors and three nurse practition-



ers, along with dietitians, counsellors and a diabetes education team.

But that was only the first stop of the day. Off to Brighton we went. It was a privilege to stand beside our Premier to announce \$5.4 million from our Good Places to Learn initiative to fund a new school in my hometown of Brighton. You can imagine the excitement of the youngsters, not to mention their parents, teachers, principals and representatives from the school board. Plans are in place for the groundbreaking opening for September 2011 to accommodate 300 students.

But the day wasn't over yet: It was picnic time. The Premier accepted an invitation to join my wife, Diane, and myself for an afternoon picnic with a couple hundred of my closest friends, colleagues and supporters. What a perfect end to an amazing day.

Thank you, Premier. It was a day we'll never forget.

### TORONTO INTERNATIONAL FILM FESTIVAL

**Ms. Laurel C. Broten:** As a Toronto member proudly representing the riding of Etobicoke–Lakeshore, I know at first hand the vital role that the Toronto International Film Festival plays in and for our city. TIFF has become one of the world's premier film festivals and likewise deserves a premier facility to call home. That is why a \$10-million investment in the TIFF Bell Lightbox underscores our government's commitment to investing in the jobs of today and of the future. It will be a destination for film lovers for years to come and will generate millions in economic activity for the province and the city.

This state-of-the-art facility, scheduled to open next year, has already had a large impact on Ontario's economy by creating 1,300 full-time construction jobs. TIFF's new home will also house its more than 100 full-time employees and provide year-round programming for Ontarians and tourists to learn, celebrate and experience film.

The Toronto International Film Festival expects the Bell Lightbox to generate approximately \$200 million in economic activity within five years of opening, and this is in addition to the estimated \$67 million and countless visitors that TIFF already brings to the province and city each year.

Ontario's film industry plays an important role as a major economic driver in this city and beyond as we continue to make strategic investments to build a strong economy and strong communities right across Ontario.

1340

### FLU IMMUNIZATION

**Mr. Rick Johnson:** As September rolls around and the children start back to school—yes, dare I say it?—this also means the colder weather is not far behind, and with that colder weather comes another flu season. The McGuinty government wants to prepare all residents for the upcoming flu season, which will be a different flu

season from previous years. With the emergence of the H1N1 virus, two separate vaccines will be made available this fall.

In addition to the vaccines, beginning next week every home in Ontario will be receiving information in the mail on how to prevent the flu and stay healthy. Some of these tips we've all heard before, but they can never be said too often. Proper hand cleaning is one of the important ways to guard against the flu and limit the spread of the flu virus. Hand sanitizers are also effective at limiting its spread. So clean your hands often to protect yourself and others from getting the flu.

We want all Ontarians to be proactive when it comes to their health, and we in the McGuinty government will continue to work hard to ensure quality access to health services to prevent disease and guarantee all Ontarians quality of life.

### BY-ELECTION IN ST. PAUL'S

**The Speaker (Hon. Steve Peters):** I beg to inform the House that a vacancy has occurred in the membership of the House by reason of the resignation of Michael Bryant as the member of the electoral district of St. Paul's effective June 7, 2009. Accordingly, I issued my warrant to the Chief Electoral Officer for the issue of a writ for a by-election.

### TABLING OF SESSIONAL PAPERS

**The Speaker (Hon. Steve Peters):** I further beg to inform the House that during the adjournment, the following reports were tabled:

On June 19, 2009, order in council number 1146/2009, dated June 17, 2009, reappointing Ann Cavoukian as the Information and Privacy Commissioner;

On June 23, 2009, the 2008-09 annual report of the Ombudsman of Ontario;

On June 25, 2009, the by-election report for Haliburton–Kawartha Lakes–Brock of the Chief Electoral Officer;

On July 13, 2009, the 2008-09 annual report of the Integrity Commissioner of Ontario;

On July 14, 2009, a report from the Ombudsman of Ontario respecting Bestech Academy Inc. and enforcement of the Private Career Colleges Act;

On August 5, 2009, from the Office of the Auditor General, the financial statements for the year ended March 31, 2009;

On August 10, 2009, the 2007 annual report of the Chief Electoral Officer of Ontario;

On August 25, 2009, a report from the Ombudsman of Ontario respecting Cambrian College's administration of its health information management program and the oversight provided by the Ministry of Training, Colleges and Universities.



## REPORTS BY COMMITTEES

### SELECT COMMITTEE ON ELECTIONS

**Mr. Greg Sorbara:** Pursuant to the order of the House of Wednesday, June 3, 2009, I beg leave to present a report on modernizing Ontario's electoral legislation from the Select Committee on Elections and move its adoption.

**The Speaker (Hon. Steve Peters):** Mr. Sorbara presents the committee's report and moves its adoption. Does the member wish to make a brief statement?

**Mr. Greg Sorbara:** Yes, Mr. Speaker, just to point out that the all-party Select Committee on Elections was appointed to consider the current effectiveness of the Elections Act, the Election Finances Act and the Representation Act in the preparation, administration and delivery of elections in Ontario. I am pleased to present to the House the committee's opinions, observations and recommendations concerning amendments to these acts.

Might I point out, sir, that this committee had a very high standard of co-operation from the three members who sat on it: the member from Willowdale, the member from Welland and the member from Carleton-Mississauga Mills—

**Interjection:** Mississipi Mills.

**Mr. Greg Sorbara:** I'm sorry, Mississipi Mills. Thank you for that. I think I have it now.

The committee heard from many individuals and groups with an eye towards modernizing and updating and consolidating the current legislation and simplifying the language of the acts we have in place. The committee considered ways of improving the voting process, voters' lists, professionalizing service delivery, a process for managing electoral boundaries and modernizing election finance rules, improving access for persons with disabilities, and better enforcement of the elections acts.

Might I say in conclusion, sir, that we received a very high degree of co-operation from an officer of this House; that is, the Chief Electoral Officer of Ontario, Greg Essensa, and the staff at Elections Ontario. With that, I move adjournment of the debate.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Debate adjourned.*

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**M<sup>me</sup> France Gélinas:** Pursuant to the order of the House dated—the same as his—June 3, 2009, I beg leave to present a report on the prevention and control of hospital-acquired infections from the Standing Committee on Public Accounts and move the adoption of its recommendations.

**The Speaker (Hon. Steve Peters):** Ms. Gélinas presents the committee's report and moves the adoption

of its recommendations. Does the member wish to make a brief statement?

**M<sup>me</sup> France Gélinas:** Thank you, Mr. Speaker. First, the Auditor General released his Special Report: Prevention and Control of Hospital-Acquired Infections, in September 2008. He presented it ahead of the rest of his report because we felt it could have a significant and timely impact on the public health of the people of Ontario.

The committee worked well together. We reviewed the auditor's report and made 12 recommendations.

The first one had to do with accountability for patient care. We wanted to make sure that every board of every hospital in Ontario addressed the auditor's recommendations.

The second had to do with screening, regarding use and cost of universal screening for diseases like MRSA, VRE or febrile respiratory illness, FRI. We also want the report from the Ottawa Hospital, which is doing an evaluation.

The third theme has to do with routine patient practices and infection-specific precautions. There, we want reports back on hand hygiene, on isolation policies for high-risk patients, on making all new hospital rooms in new hospitals private rooms. We also want to hear back about environmental cleaning, that is, cleaning of the rooms, and new technologies for monitoring cleanliness.

The fourth theme was the use of antibiotics. We want a full report on antibiotics used in the hospitals, as well as a report on the new electronic drug dispensing system that is being used in Windsor.

Finally, under theme number five, surveillance, we want Ontario to set targets for hospital-acquired infections, as well as to report back to ensure standardization throughout Ontario.

Those are our 12 recommendations. I move adjournment of the debate.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Debate adjourned.*

## INTRODUCTION OF BILLS

### TOBACCO TAX REDUCTION ACT, 2009

### LOI DE 2009 SUR LA RÉDUCTION DE LA TAXE SUR LE TABAC

Mr. Barrett moved first reading of the following bill:

Bill 199, An Act to amend the Tobacco Tax Act to reduce taxation / Projet de loi 199, Loi modifiant la Loi de la taxe sur le tabac afin de réduire les taux de taxation.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Toby Barrett:** Ontario's world-recognized tobacco control policies are collapsing. The tobacco market is being handed over to criminal organizations that are both unregulated and untaxed. These organizations do not comply with tobacco control measures, including restrictions on advertising, sales to children, labelling, mandatory health warnings and emissions reporting.

It's time for Ontario to reduce its tobacco taxes again, this time by one third, and to encourage the federal government to take action, as it did in 1994, to help put the illegal trade out of business.

1350

## BREAST CANCER SCREENING ACT, 2009

### LOI DE 2009 SUR LE DÉPISTAGE DU CANCER DU SEIN

Mr. Oraziotti moved first reading of the following bill:

Bill 200, An Act to increase access to breast cancer screening / Projet de loi 200, Loi visant à accroître l'accès aux services de dépistage du cancer du sein.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. David Oraziotti:** The bill requires that the minister ensure that breast screening services are provided free of charge to women aged 40 to 49 who are referred by a physician or nurse practitioner. The breast screening services may be provided through the Ontario breast screening program of Cancer Care Ontario or that program's successor. At present in Ontario, you must be 50 years of age to be referred to the Ontario breast screening program. This would have the effect of lowering that age to 40.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Monique M. Smith:** I believe we have unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Monique M. Smith:** I move that, notwithstanding standing order 98(b), the following change be made to the ballot list of private members' public business: Mr. Naqvi and Mr. Zimmer exchange places such that Mr. Naqvi assumes ballot item 27 and Mr. Zimmer assumes ballot item 33; and that, notwithstanding standing order 98(g), the requirement for notice be waived with respect to ballot items 27 and 30.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

## APPOINTMENT OF PRESIDING OFFICER

**Hon. Monique M. Smith:** I believe we also have unanimous consent to put forward a motion without notice regarding presiding officers of the Legislature.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Monique M. Smith:** I move that the member for York-Simcoe, Mrs. Munro, be appointed First Deputy Chair of the Committee of the whole House in place of the member for Wellington-Halton Hills, Mr. Arnott.

**The Speaker (Hon. Steve Peters):** The Member for Wellington-Halton Hills.

**Mr. Ted Arnott:** I wish to take this opportunity to wish the member for York-Simcoe well as she assumes her new responsibilities as a presiding officer in this House. She's an outstanding member and has always demonstrated reverence and respect for the democratic institutions we all hold so dear, as well as the customs and traditions of this House. We all admire and respect Julia Munro, the quality person that she is and the manner in which she does her job.

As I withdraw from my role as First Deputy Chair of the Committee of the whole House, I wish to thank you, Mr. Speaker, as well as former Speakers Mike Brown and Alvin Curling, for the privilege of working with them over the past six years, and I especially thank the table staff for their professional advice as well as the personal friendships we've had as we've worked together.

I should close by expressing my thanks to all MPPs who served here in the last two Parliaments for their indulgence, their co-operation and, at times, their patient understanding during the time I've been privileged to serve in the Chair. Thank you all for the trust that you've placed in me.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

**The Speaker (Hon. Steve Peters):** I would like to take this opportunity to thank Ted Arnott, the member from Wellington-Halton Hills. Ted has served as First Deputy Chair of the Committee of the whole House since December 8, 2003. I want to thank Ted, his wife, Lisa, and his three boys for their efforts to support me in my role as Speaker, and previous Speakers. On behalf of all members of the Legislature, Ted, thank you very much for a job well done.

## PETITIONS

### LONG-TERM CARE

**Mrs. Elizabeth Witmer:** I have a petition signed by about 4,000 Ontarians. The petition reads as follows:



"Whereas Ontarians who now live in long-term-care homes are increasingly older, frailer and have greater complex care needs;

"Whereas our elder parents, family and friends deserve to live with dignity and respect;

"Whereas the McGuinty Liberal government failed to revolutionize long-term care and broke its promise to seniors to provide \$6,000 in personal care, per resident;

"Whereas five years of Liberal inaction has restricted Ontario's ability to meet the demands of our aging population;

"Whereas more than 24,000 Ontarians are currently waiting for an LTC bed;

"Whereas Ontario funds significantly less resident care than Alberta, British Columbia, Manitoba and New Brunswick;

"Whereas dedicated LTC homes are short-staffed and have not been given resources to hire enough front-line workers to provide the level of care residents require;

"Whereas devoted LTC staff are burdened by cumbersome government regulations;

"Whereas some 35,000 seniors are living in LTC beds which do not meet more home-like design standards introduced in 1998 by the former PC government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government must enhance long-term care by:

"—initiating a sector-wide staffing increase of 4,500 full-time positions within a year;

"—expediting the redevelopment of Ontario's 35,000 oldest long-term-care beds by providing adequate support and funding;

"—achieving an average of three worked hours of personal care, per day, within a year;

"—simplifying the regulations which govern nursing homes;

"—producing a comprehensive plan with benchmarks to reduce wait lists of more than 24,000 people; and

"—addressing inflationary pressures by adequately funding the increased operating costs of LTC homes."

I am very pleased to affix my signature to this petition.

### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** I'm really pleased to present the first 200 names from the people of my riding, Nickel Belt, for equity of access to PET scanning.

"Whereas the Ontario government is making positron emission tomography—PET scanning—a publicly insured health service; and

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition and will affix my name to it and send it to the table with page Gordon.

### GARDE D'ENFANTS

**M. Jean-Marc Lalonde:** J'ai une pétition qui m'a été envoyée par Suzanne Hupé de St-Albert.

« À l'Assemblée législative de l'Ontario :

« Nous, citoyens de la province de l'Ontario, méritons et avons le droit de demander des modifications à la Loi portant réforme du droit de l'enfance, de façon à faire valoir l'importance des relations qu'ont les enfants avec leurs père et mère, ainsi qu'avec leurs grands-parents, comme le prévoit le projet de loi 33, 2008, présenté par le député provincial Kim Craitor.

« Attendu que le paragraphe 20(2.1) de la Loi exige que les père et mère et autres personnes qui ont la garde d'enfants ne doivent pas faire déraisonnablement obstacle aux relations personnelles qui existent entre les enfants et leurs grands-parents;

« Attendu que le paragraphe 24(2) de la Loi énumère les questions dont le tribunal doit tenir compte pour établir l'intérêt véritable d'un enfant. Le projet de loi modifie ce paragraphe de façon à inclure une mention expresse de l'importance du maintien des liens affectifs qui existent entre enfants et grands-parents;...

« Attendu que le paragraphe 24(2.2) de la Loi exige qu'un tribunal qui décide de la garde d'un enfant prenne en compte la volonté de chaque personne qui demande, par requête, la garde de l'enfant de faciliter les contacts entre celui-ci et ses père et mère ainsi que ses grands-parents, compte tenu de l'intérêt véritable de l'enfant;

« Nous, soussignés, adressons à l'Assemblée législative de l'Ontario la pétition suivante :

« Que les députés de l'Assemblée législative de l'Ontario adoptent le projet de loi 33, 2008, qui modifie la Loi portant réforme du droit de l'enfance, de façon à faire valoir l'importance des relations qu'ont les enfants avec leurs père et mère ainsi qu'avec leurs grands-parents. »

J'appuie cette pétition.

### TAXATION

**Mr. Ted Arnott:** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the 13% McGuinty sales tax will cause everyone to pay more for gasoline, heat, telephone, cable and Internet services; and

"Whereas the 13% McGuinty sales tax will cause everyone to pay more for coffins, coffee, haircuts, gym memberships, newspapers, lawyer and accountant fees and meals under \$4;

"We, the undersigned, petition the Legislative Assembly of Ontario not to increase taxes for Ontario consumers."

I have affixed my signature as well.

1400

### HUMAN RIGHTS

**Mr. Reza Moridi:** I am pleased to rise in this House today and present a petition signed by 1,000 Canadians in protesting the violation of human rights in Iran. Some of the signatories to this petition are sitting in the gallery. When I talk about "violation of human rights in Iran"—

**The Speaker (Hon. Steve Peters):** To the honourable member, you need to read—the standing orders are clear: You have to read the petition.

**Mr. Reza Moridi:** The petition reads:

"Petition to the Legislative Assembly of Ontario:

"Whereas millions of Iranians have poured into the streets of Tehran and other cities to protest against the results of the recent presidential election; and

"Whereas unarmed men and women have been confronted by the regime's armed militia and as a result many Iranians have lost their lives; and

"Whereas the government of Iran has repeatedly violated the human rights of its citizens, including the imprisonment of journalists and innocent civilians; and

"Whereas Iranian Canadians have reacted to this tragedy by organizing demonstrations in Toronto, Ottawa, Montreal and Vancouver; and

"Whereas the actions currently being undertaken by this regime now face the growing condemnation by numerous countries, Nobel laureates and groups such as Amnesty International and the United Nations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To request that the government of Canada urge the Iranian regime to end state-sponsored violence against innocent Iranians, release political prisoners and allow freedom of assembly, freedom of expression and freedom of the press."

I fully support this petition, sign it and pass it on to page Robert.

### DOCTOR SHORTAGE

**Mr. John O'Toole:** I have a petition from the constituents in the riding of Durham which reads as follows:

"Whereas the McGuinty government is conducting a review of the province's underserved area program (UAP) that may result in numerous communities across rural and small-town Ontario losing financial incentives to recruit and retain much-needed doctors; and

"Whereas financial incentives to attract and keep doctors are essential to providing quality front-line health care services, particularly in small communities; and

"Whereas the people across Ontario have been forced to pay Dalton McGuinty's now-forgotten health tax since

2004, expecting health care services to be improved rather than cut; and

"Whereas taxpayers deserve good value for their hard-earned money that goes into health care, unlike the wasteful and abusive spending under the McGuinty government watch on eHealth Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not reduce or eliminate financial incentives for rural communities and small towns that need to attract and retain doctors."

I'm pleased to sign and support this on behalf of constituents like Roger Pierson and present it to one of the new pages, Alyssa.

### TAXATION

**Ms. Sylvia Jones:** My petition is to the Legislative Assembly of Ontario.

"Whereas residents in Dufferin-Caledon do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' blended HST will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes; and

"Whereas the McGuinty Liberals' 13% HST will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I'm pleased to present this to page Gordon.

### HOSPITAL FUNDING

**Mr. Bob Delaney:** It's good to be back. I have a petition to the Ontario Legislative Assembly. I'd like to very much thank the members of the Islamic Society of North America and the big ISNA mosque for having collected some of these signatures. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be better performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;



"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm always pleased to sign and support this petition and ask page Carlos to carry it for me.

### HOSPITAL FUNDING

**Mr. Norm Miller:** I have a petition with regard to Muskoka Algonquin Healthcare funding. It reads:

"To the Legislative Assembly of Ontario:

"Whereas demand for health services is expected to continue to rise with the growing retirement population in Muskoka-East Parry Sound;

"Whereas recent funding cuts include the loss of health care services at the Burk's Falls health centre, reductions in acute care beds at both hospitals and cuts to services such as physiotherapy; and

"Whereas the government is providing hospitals with funding increases of roughly 2%, but costs for health care salaries negotiated by the ministry and other fixed costs are increasing at a rate of 4% to 5% each year; and

"Whereas hospitals will face ongoing budget cuts as a result of insufficient funding by the province of Ontario, despite collecting \$12 billion in health taxes from Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government and Minister of Health provide adequate increases in the operating budget of Muskoka Algonquin Healthcare to maintain current health services for the people of Muskoka-East Parry Sound and provide long-term-care beds for Muskoka-East Parry Sound."

I support this petition and give it to Jacob.

### HOSPITAL FUNDING

**Mr. Shafiq Qaadri:** I have here a petition addressed to the Ontario Legislative Assembly regarding the western Mississauga ambulatory surgery centre.

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be better performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative

intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I join with the members of the Islamic Society of North America ISNA mosque in supporting this petition and send it to you by way of page Nicole.

### HOSPITAL SERVICES

**Mr. Garfield Dunlop:** "To the Legislative Assembly of Ontario:

"Whereas the North Simcoe Muskoka Local Health Integration Network has mandated that the Huronia District Hospital balance their budget and the interim CEO has decided to remove outpatient services from the Penetanguishene site: diagnostic testing, laboratory, ultrasound, the diabetes program, dietitian counselling, nurse practitioner and physiotherapy services; and

"Whereas the diabetes program and dietitian counselling have been shown to make a financial saving to Penetanguishene General Hospital by reducing the number of hospital admissions and complications. The number of Ontarians with diabetes has increased over the last 10 years and is projected to increase from 900,000 to 1.2 million by 2010; and

"Whereas the Ontario government has promised \$741 million over four years to manage, treat and prevent diabetes, and the closing of outpatient services does not appear to be a responsible solution to balance the budget on one hand and spend many unnecessary dollars in the community on the other hand; and

"Whereas the diabetes program and dietitian counselling are housed in the wellness centre at the Penetanguishene site, which also includes the nurse practitioner who provides medical services to many orphan patients. These departments will no longer be. Will these orphan patients be abandoned even more?

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"Whereas the diagnostic testing and physiotherapy services will not be available in Penetanguishene and this will put a financial burden on many citizens to travel to Midland on a weekly basis for many who have no personal transportation, at a cost of \$16 to \$19;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ensure that diagnostic testing, ultrasound, the diabetes program, dietitian counselling, nurse practitioner and physiotherapy and health and wellness services on the Penetanguishene site remain."



## ROYAL ASSENT SANCTION ROYALE

**The Speaker (Hon. Steve Peters):** I beg to inform the House that on June 5, 2009, His Honour the Lieutenant Governor was pleased to assent to certain bills.

**The Deputy Clerk (Mr. Todd Decker):** The following are the titles of the bills to which His Honour did assent:

An Act to amend the Coroners Act / Loi modifiant la Loi sur les coroners.

An Act to amend the Employment Standards Act, 2000 in respect of organ donor leave / Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne le congé pour don d'organe.

An Act to amend the Education Act / Loi modifiant la Loi sur l'éducation.

An Act respecting the budget measures and other matters / Loi concernant les mesures budgétaires et d'autres questions.

An Act to promote reductions in the use and creation of toxic substances and to amend other Acts / Loi visant à promouvoir une réduction de l'utilisation et de la création de substances toxiques et à modifier d'autres lois.

An Act to revive Deep River Management Services Inc.

An Act to revive 1173931 Ontario Limited.

An Act to revive Welechenko Transport Ltd.

An Act to revive a corporation named New Hermes Limited in English and New Hermes Limitée in French.

An Act respecting The Sisters of St. Joseph of the Diocese of London, in Ontario.

## ORDERS OF THE DAY

### ENVIRONMENTAL PROTECTION AMENDMENT ACT (GREENHOUSE GAS EMISSIONS TRADING), 2009

### LOI DE 2009 MODIFIANT LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT (ÉCHANGE DE DROITS D'ÉMISSION DE GAZ À EFFET DE SERRE)

Mr. Gerretsen moved second reading of the following bill:

Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches / Projet de loi 185, Loi modifiant la Loi sur la protection de l'environnement en ce qui concerne l'échange de droits d'émission de gaz à effet de serre ainsi que d'autres instruments économiques et financiers et approches axées sur le marché.

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. John Gerretsen:** Before beginning my formal text on this, let me just say how good it is to be back in the House again, and to work with members on all sides

of the House to make sure that the environmental protections that we've put into place and intend to put in place over the next little while will benefit all the people of Ontario not only for this generation but for generations to come. I know that all the members in the House will join me in that overall goal.

Let me also welcome Helena Jaczek as the new parliamentary assistant to the Minister of the Environment, the member for Oak Ridges–Markham, in that role and capacity. We all know her as a former medical officer of health for the region of York. I know that she is very much committed in that capacity to bettering the environment for all of us as well.

I also want to pay tribute to the individual who served as parliamentary secretary to the Minister of the Environment for the last couple of years, and that's Kevin Flynn, the member from Oakville, whose passion about the environment and improving the environment that we live in and whose hard work and dedication over the last two years are well known as well.

I will be taking some time today because I think the bill is before us is an extremely important one. I'm pleased to rise today to begin second reading debate on Bill 185, the proposed Environmental Protection Amendment Act (Greenhouse Gas Emissions Trading). What we are proposing is a critical piece of legislation that, if passed, would have lasting benefits for our province and our people not only in this generation but also for generations to come. It would be a fundamental step to building a green economy and creating good green jobs for Ontarians, for cleaner air and for the healthy and sustainable communities we all want to live in.

Speaker, you know that we face a global environmental threat, one that is unlike any that any other generation has known. Just to point that out, I've taken about seven or eight articles that have appeared within the last couple of weeks out of publications here in Canada and elsewhere to show you the kind of problem that we're dealing with in the expansion of the greenhouse gas emissions situation not only in Ontario but in the world.

For example, there was an article back on September 6 of this year from the Canadian Press called "Increasing Arctic Methane Emissions Unknown Climate Threat: Scientists," in which scientists are basically saying—let me just quote you some of this, by Bob Weber.

He said, "You can see them from shore along the Arctic coast or even in some northern lakes—seething domes of water churned up by gas escaping from deep below...."

"Unimaginable quantities of methane—a greenhouse gas 20 to 25 times more potent than carbon dioxide—are stored underground in the Arctic. Some of it is leaking out.

"The consequence of all that seeping methane has become one of the biggest questions in climate science."

What is interesting about this is that this kind of situation wasn't even taken into account by the scientists who received the Nobel Peace Prize at the Bali confer-



ence, you may recall, a couple of years ago, who had done such outstanding work in telling us about the threats that the increase in greenhouse gas emissions throughout the entire world have upon us and how they're affecting us.

This kind of a situation, what's happening right now as a result of the defrosting of the permafrost, as it were, and allowing these methane gases to seep into the atmosphere, thereby increasing to a much greater extent than ever imagined before the greenhouse gas emissions that are out there, is just an example of how critical the threat of these large greenhouse gas emissions and the way it's expanded over the last number of years is to each and every one of us, not only here in Ontario but indeed throughout the world.

There was another article that talks about, "With Arctic Sea Ice Receding, Thousands of Walruses Congregate on Alaska's Shore." That was from the Canadian Press on September 9. They're talking there about the kind of unknown situation with these animals that have never been in this part of Alaska before, that are there now as a result of climate change and the effects that the rising temperatures have.

There was another article just a couple of days later, as a matter of fact on September 11, last Friday, also in the Canadian Press, that talks about, "Scientists Work to Unravel What's Behind Greenland's Mysterious Melt." The ice caps are melting there at a more rapid rate than was even imagined a couple of years ago.

My main purpose for mentioning all this is that we are truly dealing with a phenomenon, with a situation, that absolutely has to be dealt with, and we as a government are doing something about it within the province of Ontario.

We all know that it will take bold action and a range of strong concerted efforts from every level of government—federal and provincial, in North America, Europe and elsewhere around the world, and across every sector of society—to tackle this challenge. That's why our government has made tackling climate change our most critical environmental property. It is, for example, why we introduced our climate change action plan in 2007, with bold, ambitious greenhouse gas reduction targets in line with some of the leading jurisdictions in North America. We stated at that point in time that we wanted, by 2014, to reduce the greenhouse gases that are being emitted in the province of Ontario by 6% with respect to 1990 levels, and by 15% by 2020. I know it can be very confusing to the general public, because sometimes people speak in terms of reductions according to the Kyoto Protocol, which is a 1990 reduction. That's sort of the base year. Other times, particularly the federal government has been talking about reductions in terms of 2006, which of course leads to completely different conclusions. I can just imagine how the general public can be confused about this situation quite frequently, unless at least we have a measurement on which we can all agree as a starting point. It is an aggressive and comprehensive approach of reducing greenhouse gas

emissions while transforming Ontario into a global competitive low-carbon economy.

I thought that I would just advise you and advise the members of this assembly and indeed anybody who may be listening as to what kind of a situation we have here in Ontario with respect to how many greenhouse gas emissions we actually have on a year-to-year basis. Well, you maybe interested to know that in Canada in 2007, the emissions that were reported amounted to 747 megatonnes of carbon dioxide, and Ontario had about 200 megatonnes at that point in time—slightly less than that: 197.

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The next question is about how that is composed, when you look at the various sectors of our economy, of our way of living, of all the various sectors that affect our day-to-day living. Some 31% of that actually comes in the transportation sector, and of course by that we mean cars, trucks, planes, buses and everything that moves, in effect. They cause 31%, so roughly about 60 megatonnes of greenhouse gas emissions per year in Ontario. Buildings—residential buildings, industrial buildings, institutional buildings and office buildings—cause about 17%. The electricity sector alone causes about 17%. It's a huge sector when you think about it. Industry, large and small, causes about 25% of the total greenhouse gas emissions, with agriculture being at 6% and waste at 4%.

As you know, one of the first things that we did as a government was to start phasing out the coal-fired electricity plants. They will be phased out by 2014. Coal replacement is expected to reduce greenhouse gas emissions by up to 30 million tonnes per year—30 million out of the roughly 200 million that are being produced in Ontario on a year-to-year basis. It is the single largest greenhouse gas reduction initiative across Canada.

I can tell you from conferences that I've spoken to elsewhere in North America over the last couple of years, the one thing people are always impressed by at various environmental conferences are two factors as to what we've done in the province of Ontario: number one, the greenbelt that we constructed around the province of Ontario, which is truly innovative and is always commented on by people from across North America; secondly, the fact that we are one of the few jurisdictions, particularly in North America, that are phasing out coal-fired energy plants. We always get very positive comments on that. Quite frankly, some people find it hard to believe that this is actually happening.

You may be aware of the fact that we recently announced the closure of two more units at Nanticoke as well as two units at Lambton by October of next year. These are coal-fired energy plants that will be shut down.

Also, over the last five years since we formed government in 2003, Ontario has reduced emissions from its coal-fired energy generating stations from 35 megatonnes to something like 28 megatonnes. That's a 27% reduction in just the last five years.

But we all know that that's only one aspect, and there are so many other ways in the various other areas that are



talked about that we should be working on, and that indeed we have worked on as well.

One area, of course, is the new Green Energy Act that we passed in this House, for which the regulations are currently being worked on and will soon become a reality for many Ontarians. When you think about it, doesn't it make a heck of a lot more sense to garner the wind that's out there, to garner the power of the sun, rather than keep burning fossil fuels, thereby increasing the greenhouse gas emission levels of this province? Yes, there are some very legitimate issues that have to be addressed, and we are addressing them right now, but any time that we can garner the natural resources out there that are of a renewable nature, surely to goodness that is always preferable to burning more fossil fuels.

You maybe interested in knowing, for example, that the number of turbines in the province of Ontario in the last five years has gone from something like 10 to over 700 currently. And with the contracts that are currently being signed, particularly once the new Green Energy Act comes into being, we can expect contracts for upwards of 1,170 megawatts of new wind projects to come online as well.

But we haven't stopped there. With respect to solar energy, we have contracted for almost 500 megawatts of solar energy right now, and again, that will come on stream within the next year. But we've done more than that. We've also encouraged individuals on a localized basis within their own homes, within their own work environments, to get more actively involved in the whole concept of energy conservation and the whole concept of retrofitting their homes and their places of work.

For example, as you well know, a \$150 rebate is available on home energy audits. You may be interested in knowing that, currently, over 190,000 audits have been done across the province already; 190,000 families and individuals have audited their workplaces and their homes to find methods in which they can come up with a better way to conserve energy, a better way of living in the environment that they are involved in so that in effect the amount of energy that's being used in their homes will be lessened as a result of the retroactive steps that they're taking to upgrade their homes.

As well, there is money going into the repair of social housing. We all know that with the social housing that was built 40, 50 years ago, or even 30 years ago, there wasn't that great a concern about energy conservation at that time. I know, from having been involved in affordable housing for the last 30 years in one way or another, that many of these properties can be upgraded to make sure that we make them much more energy-efficient than they currently are. Our government has put \$100 million on the table in order to make that happen, not only in the housing that's owned by the individual municipalities or by ourselves, but also by other non-profit groups.

Smart meters have been installed in 2.5 million homes. Smart meters are there to tell people that it's better to use power at one time of the day than at other times; it will

be cheaper for them and it will also not put any kind of undue pressure on the grid, particularly at times when energy demand is high.

We have a much more efficient building code that was passed a few years ago, and some of the programs that are contained within that code will be coming into effect within the next year or so. I believe that 2011 is when the new building code that was passed three or four years ago will come into full effect and force with respect to new buildings and with respect to renovations as well.

I talked about transportation earlier, and that 31% of all the greenhouse gases that are emitted in the province of Ontario come from some sort of transportation source. The fact that we have invested, of taxpayer dollars in this province, some \$11.2 billion in new rapid transit programs, particularly here in the GTA but indeed throughout Ontario, is done with one purpose and one purpose only in mind, and that is to get more people out of their cars and get them to use public transport. The only way you can do that is by making it available frequently to people and by making it available on a much more widespread basis than is currently the case.

Municipalities that run their own transit systems have benefited from this as well. You may recall that one of the first things we implemented back in 2004 was the fact that the municipalities were going to get two cents of tax that we got with respect to gasoline that was being sold at the pump. Municipalities have been benefiting from that for a variety of purposes, but primarily for transportation purposes, ever since that day. We've also fast-tracked the approvals for new transit projects. It's fair to say that with the environmental assessment processes, it used to take a long time to get projects approved, and particularly transit projects that are there to improve the environment. We felt it was necessary to expedite those processes and allow transit environmental assessments to take no more than six months to be completed etc. We are also bringing a low-carbon fuel standard that will reduce carbon in our fuels by 10% by the year 2020.

Also, in another areas, we've made some stunning improvements. For example, 50 million trees will be planted by 2020, and there are tree-planting projects going on all over this province. Why are we planting trees? So that they can in effect put more oxygen in the air, suck carbon dioxide out of the air and make this a better place for all of us to live in. I could go on and on, but I really want to talk about the benefits of this bill and what it will do for the people of Ontario. So let me just continue.

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Bill 185 lays out proposed enabling legislation that would, if passed, allow us to build on these steps by developing a fair and effective cap-and-trade system for Ontario. I know that the members of the general public who may be watching may be saying, "Well, what is a cap-and-trade system? What exactly do you mean by that?" So I went back to some of the fact sheets we have developed to try to explain the system to individuals. I just want to refer to them and talk a little bit about that.



A cap-and-trade system is a form of market regulation applied to greenhouse gas emissions. It requires industry to reduce greenhouse gas emissions but provides financial incentives to help in the cost of doing so.

Basically what we're going to do with respect to seven sectors within the heavy-industry area that produce a lot of the greenhouse gas emissions—I'll just mention those sectors to you. One of them is electricity generation, which I talked about earlier with respect to coal-fired energy plants, but we're also talking about industries such as oil and gas, pulp and paper, iron and steel, smelting and refining, potash, lime, cement, chemicals and fertilizers. These are large industries that, in the manufacture of the products I talked about, require the emission of a lot of greenhouse gases. Those are the industries that the regulations we're talking about here will be applied to first of all. We anticipate that there are about 230 of these industries in Ontario.

What we want to do is simply limit the amount of greenhouse gases that each sector that I talked about, and industries within each sector, is able to produce at any time. In order to do that, obviously the first thing that's necessary is that we've got to have the right data. We have to have these companies report to us as government—to the ministry—what their greenhouse gas emissions are in a particular year. That's what the year 2010 is basically meant for. So we will have that information by no later than June of 2011.

We will then go back to them and say, "How can you reduce that within your sector?" That's really what it's all about. When all is said and done, this whole piece of legislation is meant to lower the greenhouse gas emissions of the larger industries that emit more greenhouse gases than others. That's the whole purpose of the act.

If a company is able to basically use less of the allocated greenhouse gas emission standard, then it will in effect be able to trade the surplus—in other words, the portion of greenhouse gas emission allowances it doesn't need—with other companies that may need it, that may not be as technologically advanced.

Let me just read you this, so there can be no misunderstanding about it. It states that if the actual emissions are less than the allocated allowances to a particular industry, then the company that has unused allowances or a surplus can sell or save them for use at a later date. If the actual emissions are greater than the allowances allocated, then the company must purchase those allowances from other companies that have an excess to sell. Surpluses and allowances, under the scheme we're proposing, are quite frankly priced and traded according to the law of supply and demand.

We're asking for changes in the Environmental Protection Act, which already allows us to set limits with respect to greenhouse gas emissions but doesn't allow us to set up this trading system. That's why the changes in the act are required, and that's why this bill is before us today.

It should be clearly understood that cap and trade does not give polluters a free ride. It does give financial

incentives to companies to reduce emissions below their cap, and in this way companies find that it is in their best interests, obviously, to reduce emissions and convert to lower-emission approaches and thereby, in effect, become greener.

I would like to remind the members of this Legislature that we've been working for the past year and a half with many different partners to develop the basis for this cap-and-trade program that will help us achieve our climate change action plan. Last June, you may recall, we signed a memorandum of understanding with the province of Quebec to collaborate on a cap-and-trade system consistent with emerging North American cap-and-trade systems. Quebec and Ontario together represent the two largest economies and population centres in Canada. We have well over 60% of the population and well over 60%, if not a higher percentage, of the actual manufacturing that's being done in Canada.

As you also may be aware, the second joint meeting of the Ontario and Quebec cabinets was held just last week here in Ontario. It was an important opportunity to further our understanding and move forward on a collaborative approach to reducing greenhouse gas emissions. We will be continuing to collaborate with Quebec on a range, including reporting, the development of a registry for cap and trade, regulations development and the cap setting itself. At last week's joint meeting, Premier McGuinty stated that cap and trade is a vital step to building a green economy and the jobs of the future.

We also called, collectively—Ontario and Quebec, and both of our Premiers—on the federal government to provide leadership by agreeing to a climate change plan that would be compatible with the United States and one that would be fair and equitable to all the provinces, and not put Ontario and our industries at a disadvantage. We know that there are real risks of trade measures for those countries that don't have greenhouse gas reduction measures that are complementary to the approach that the Obama administration, for example, is taking in the US. Federal leadership is also needed to ensure our industries remain competitive with their US counterparts and are not subject to additional punitive measures at the border. We will continue to work on positively influencing the development of a federal climate change plan in advance of the international negotiations at the United Nations Climate Change Conference in Copenhagen, commonly known as COP 15, coming up in December of this year.

Partnerships with other leading subnational and international jurisdictions have been part of laying the groundwork for the development of a cap-and-trade system for Ontario. Last June, for example, Ontario joined the International Carbon Action Partnership, which is an organization made up of countries and regions that support carbon trading and are actively developing or have already developed cap-and-trade systems. ICAP enables the linking of established and emerging cap-and-trade programs by promoting consistent regulatory frameworks across national borders.



I can tell you we have had numerous meetings with representatives from the large industries that I talked about earlier, and if there is one message that came through loud and clear, it's that there was, first of all, an understanding that cap and trade was coming, that it was to everyone's advantage, not only for this generation but for generations to come, to lower the levels of greenhouse gas emissions. But they also wanted to make sure that whatever program we put into place, there was a consistent, fair and equitable program across not only Canada but across North America and, indeed, across the world. That's the one message that came through loud and clear: Whatever the final outlines of the program were going to be, make sure it's consistent, make sure it's fair, and make sure it's equitable so it doesn't put our industry at any disadvantage on the international scene.

ICAP enables the linking of established and emerging cap-and-trade program by promoting consistent regulatory frameworks across national borders, as I mentioned before.

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Ontario is also a member of the Western Climate Initiative, which is targeting the development of a broad-based regional cap-and-trade system by 2012. We've been part of this organization for about the last year and a half, and I can tell you that it contains about seven or eight states in the US, mainly California and states along the west coast. It also includes British Columbia, Ontario, Quebec and Manitoba on the Canadian side. The work that's been done by this subnational group in both Canada and the US goes a long way, quite frankly, to take credit for some of the actions and some of the changes that we've seen in the approaches at the federal levels in both Canada and the US.

As a matter of fact, we look forward to hosting representatives of the WCI who will be meeting later on this week here in Toronto. The Canadian member provinces of the WCI now represent approximately 79% of the Canadian population in the four provinces that I mentioned earlier, which translates into 73% of our country's GDP and 50% of Canada's emissions.

Joining the WCI has been a very important milestone for Ontario, and we are committed to working with our partners to develop the leading greenhouse gas trading system in North America. We value the work of the WCI in informing policy development at the federal level, both in the US as well as in Canada. As I mentioned before, it's clear that our efforts are having a strong influence on the broader policy discussion in North America.

The WCI is also key to helping harmonize climate change policies among jurisdictions in North America. It supports our goal of providing broad access to trading opportunities for Ontario industries that will deliver real greenhouse gas emission reductions at a lower cost. With all of the various discussions and all of the commentaries you read about, remember what the essence of this whole situation is, and that is to lower greenhouse gas emissions, particularly of the larger industries that emit the majority of the greenhouse gases within the industrial sector.

The importance of linking to a harmonized North American approach cannot be overstated, as I mentioned before, both to the interests of supplying broad access to low-cost reduction opportunities, supporting Ontario's industries and jobs, and to avoid any potential punitive trade or border measures.

As I stated before, Bill 185 will amend the Environmental Protection Act. It's only a first step, though. It will allow us to move forward the regulations to implement a broad and effective cap-and-trade system for greenhouse gases. It will basically provide the authority to set up an emission trading system that will allow us to link to other trading systems both in North America and beyond, such as the ones that are being developed at the WCI and in the US, as well as other international trading systems.

It will allow us the flexibility to respond to new developments as they unfold both here in Canada and in the US. Key to our proposed approach is the establishment of a fair and equitable system that would achieve absolute emission reductions and provide certainty and clarity for industry, for the marketplace, and for all the jurisdictions that are involved.

When we introduced Bill 185 for first reading back in June, we also released a discussion paper called *Moving Forward: A Greenhouse Gas Cap-and-Trade System for Ontario*. It was posted for comment on the Environmental Registry for 60 days and it laid out the details and options for elements of a proposed cap and-trade system and provided the basis for further consultations with the industry sector. That will certainly happen during this fall as well.

We have been listening to industry stakeholders through our early consultations and through the multi-sector groups which have been meeting throughout the summer. Ontario's industry leaders, particularly our largest industries and largest emitters of greenhouse gases, are an integral part of developing a successful and effective cap-and-trade approach. And you know, some people may get the impression that industry doesn't want this to happen. I can tell you from my experience in meeting with many of the representatives of these large industries that I was very pleasantly surprised at some companies that are very proactive. They realize that this is the way to go, they want to get on board, and they want to do whatever they can to actually make it happen. They are not, as some people might suggest, necessarily wanting to delay this particular process, which was very gratifying. The responses and the feedback that we have received are helping us build a system that works for our industries and for Ontario as we move forward. Their continued involvement and input is extremely valuable to ensure that we get the fundamentals right.

It's interesting: When a cap-and-trade system and a trading system was first inaugurated in Europe in 2005, in effect the emission levels were set too high. For the first year or so, no effective reductions took place, because the limits that were set per sector and per industry were such that no one was forced to emit less than the year before. So we've learned from that, and we want



to make sure the system that we impose with our partners, both in Canada and the US, will be more effective right from the get-go.

Meeting with industry stakeholders from around the province, I heard loudly and clearly that they believe we have a shared responsibility to deal with climate change. They want to help Ontario with its greenhouse gas reduction targets. They understand that doing so is critical to building a new green economy and a sustainable low-carbon future. They are telling us we need to align Ontario's programs with the emerging North American system and that the scope of this system should be as broad as possible. They're telling us that we need to harmonize reporting requirements within a federal framework, with no overlap or duplication with the federal regulations. They want us to ensure that there's a system put into place that will be fair and equitable to all. And they are telling us that what is needed above all is certainty and clarity on what will be asked of them.

Our approach is based on firm fundamentals: establishing a reliable price signal, ensuring a level playing field for Ontario industry, and avoiding duplication with federal regulations. So what are the next steps?

In the coming months, along with Quebec, we will be releasing draft reporting regulations, a key step towards the implementation of a cap-and-trade system. We will also be working with Quebec to develop a registry for cap and trade, on regulation development, and on cap-setting. Workshops and joint consultations will be held with Quebec and with industry, as well as our other WCI partners, on issues that will inform regulation development during 2009-10, should our proposed enabling legislation pass.

Leading up to the United Nations Climate Change Conference in Denmark in December, we will continue to work with our partners, as well as with industry stakeholders, provinces and states, and with the federal government, to move forward on a robust approach to reducing greenhouse gas emissions and combating the root causes of climate change.

We as a government recognize that this is a pivotal time for our economy, our environment, and the future well-being of our people and the generations to come. By acting on climate change across all sectors, we can set the stage for a new green, low-carbon economic recovery by stimulating the growth of new technologies. We will need to make the transition and create new jobs in the process.

We believe a fair and effective cap-and-trade system for Ontario is both an essential step and a necessary mechanism to ensure that we achieve our climate change targets and do so in the most cost-efficient and fair manner possible. Cap and trade would play an essential role in getting us where we need to be from an environmental perspective. It would further accelerate our collective efforts to create a sustainable, innovative green economy and a prosperous, healthy future for our children and their children.

I am proud to be part of a government that has made fighting climate change a key priority. So let me

encourage all members of this House to support Bill 185. Let us step up to the challenge and meet our clear responsibility to the next generation of Ontarians and the strong, healthy and sustainable future that I know we all want to see.

**1450**

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Ted Arnott:** I'm pleased to have the opportunity to respond briefly to the Minister of the Environment's presentation this afternoon on Bill 185. I listened quite carefully to what he had to say, and it was an interesting speech in defence of the bill that he has brought forward, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches.

I heard him brag about the 2007 climate change action plan that the government adopted and released, but I don't think I heard him acknowledge the fact that that climate change plan was only forthcoming after the government was severely criticized by the Environmental Commissioner in his report the previous year.

In his speech, I heard the minister talk about the Kyoto Protocol as part of the motivation, but I don't recall him saying that the Kyoto Protocol recommended a 6% reduction in emission levels from 1990 levels by 2012. I don't think the government is going to achieve that with this bill or any of the climate change policies that they've brought forward. In fact, I know that's not going to happen.

This summer I had the chance to meet with one of my most learned constituents, Dr. Thomas Homer-Dixon, who has written a number of very interesting books, one of which I read last Thanksgiving weekend, entitled *The Upside of Down: Catastrophe, Creativity and the Renewal of Civilization*. He has recently edited yet another book called *Carbon Shift*, which I'd recommend to all members of the House. In fact, I had a chance to give an autographed copy to our new leader, Tim Hudak, shortly after I had my meeting with Dr. Homer-Dixon.

Again, I think there are a lot of ideas coming forward, but certainly the government has a lot of effort to bring forward on this issue and still has yet to make the case that they are responding to the emergency which is represented by the climate change challenge that we all face today.

**The Acting Speaker (Ms. Cheri DiNovo):** The member for Toronto—Danforth.

**Mr. Peter Tabuns:** The speech by the minister, in fact, presents more questions than it answers. There is no doubt that what we face in human terms, in global terms, is quite substantial, quite significant. "Crisis" is not too strong a word to use. I didn't hear from the minister—maybe I missed the words and the numbers—the reduction in greenhouse gas emissions that will be achieved by this bill, and perhaps when it's his turn to speak again, he will comment and tell us exactly what the targets are.

My understanding, when I first heard about the Western Climate Initiative, when I first heard about the



discussion with Quebec, was that by 2010 we would be up and running. Now it looks like 2012 or later. If in fact—and I'm sure it's the case—the minister believes what he has to say about the scale of the challenge, the scale of the threat our society faces, why are we not moving far more quickly on this than he has outlined?

When we have gone through discussions and debates before on matters of consequence to our greenhouse gas emissions in this province, this government has failed to act, has failed to take the steps that are necessary to actually make a difference. We face a huge problem with sprawl in this province. The Places to Grow Act was criticized by credible energy analysts and urban analysts who said that the act that came forward would do little more than provide us with business as usual, and business as usual means ongoing growth in greenhouse gas emissions. When we look at the whole question of energy efficiency for buildings, during the Green Energy Act hearings we had credible testimony of the fact that the energy efficiency standards in place in this province are not enforced. So we continue to see growth in greenhouse gas emissions.

What's before us is inadequate.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Oak Ridges–Markham.

**Ms. Helena Jaczek:** It certainly is a pleasure to rise in support of Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches.

I think we can all acknowledge that climate change is our generation's greatest environmental challenge. It threatens our health, our economy, our communities and our way of life. Certainly, as a physician over the last couple of decades, I've been increasingly concerned about the effect of smog on our respiratory systems, the incidence of asthma in children increasing, as we have seen.

So this particular piece of enabling legislation, of course, allows us to move into a cap-and-trade system. Cap and trade is important for Ontario's future. It will be one of the most important ways to combat climate change, reduce our greenhouse gas emissions and help in the creation of Ontario's future green economy. It will attract investments in new technology and create new jobs.

Under a cap-and-trade system, polluters are given an emissions limit. They can either invest in technology so they can meet the limit or buy unused credits from other companies who have made reductions even further than those required by their cap. They can also purchase other offsets, of course. Over time, the cap will be reduced so there is, in effect, a real reduction in emissions.

The proposed enabling legislation is a first step. It promotes Ontario's interests, especially in future discussions on a broader cap-and-trade system across North America. It allows us to align with the direction in the United States to develop rules and regulations that eliminate the need for border tariffs or other punitive activities. That's an important step in the right direction.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Durham.

**Mr. John O'Toole:** It's a pleasure to be in the House today and respond to the Minister of the Environment on Bill 185, the act to amend the Environmental Protection Act with respect to trading.

Really, I'm very disappointed. In fact, I'm hearing that from my constituents, who are saying that there really isn't any effort here to reduce emissions at all, nothing at all in this bill. In fact, if you look at it, this bill is a new Liberal tax, actually. That's what it is. It sets up a mechanism—and I'll read the explanation for the minister who's paying attention, which is a pleasure: "... make clear that the regulations may provide for economic and financial instruments to be created by or in accordance with the regulations, may provide for instruments created by the regulations to be distributed free of charge ... trading and retirement of instruments...."

This is really a mechanism for putting a new sort of carbon tax on current industry. They're already struggling. In fact, there are no emissions in Ontario now because there isn't any industry working. That's the problem—270,000 jobs gone.

What it does is, it shifts that money that they're going to collect—these companies can buy credits in some other jurisdiction, so they're spending money, called trading. That's the troubling part here. They're shifting the pollution to Third World countries, so it's really unfair, if you look at it. Minister, I think you should have another look at this; honestly, I do, in all sincerity. If your real premise here is to reduce the carbon footprint of Ontario and, indeed, Canada, you should have clear signals for targets. These are completely missing from what I hear today.

*Interruption.*

**Mr. John O'Toole:** Unfortunately, someone's sending me a message here, which is important. It's probably something on this bill. I'm being shaken by an interruption here. The technology is invading our space here.

But there's more in this bill that could be done to protect the environment. It's simply not here. This is about trading—taxes.

**The Acting Speaker (Ms. Cheri DiNovo):** The Minister of the Environment has up to two minutes to respond.

**Hon. John Gerretsen:** I can't let the last comment go. The message you may be getting is something like, "Sit down," because, really, you've got great difficulty explaining. When you said something about there are no emissions because no one is working, that is doing a lot of damage to all the hard-working Ontarians who are going to work each and every day on an ongoing basis. Yes, there are economic problems right now, but the vast majority of the people of Ontario are still working, and we obviously all want to see that.

I just want to read a couple quotes. One's from the Environmental Commissioner. What did he have to say about all of this? This was in his annual report of last year: "I am pleased with the efforts the government is



making in charting a transparent course to ensure Ontario will reduce its greenhouse gas ... emissions." He goes on to say that he agrees that "the short-term (2014)" greenhouse gas target "is achievable. The ECO also accepts the broad sector allocations that will contribute to achieving the 2014" greenhouse gas "reductions."

1500

He believes in what we're doing and I believe that the Environmental Commissioner has it right, but I can go on as well.

What does David Suzuki have to say about this? He says that, "As part of the plan, the province has also set the most ambitious greenhouse gas emission reduction targets of any province: 15% below 1990 levels by 2020.... [I]t would be an accomplishment for the province to reach that target with virtually no help from the federal government."

We want to make sure that our kids in the future have the kind of world that we live in today and that the environment that they will have 50 or 100 years from now is something we can all be proud of. The only way to do it is by reducing greenhouse gas emissions, and this is a vital step to make that happen.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Toby Barrett:** As we debate Bill 185—it's an initiative ostensibly to change the climate back to where it was—I do wish to stress that it's called global warming for a reason, a reason that deserves a global response. We see here somewhat of a provincial, local response to an international problem.

On our return to Queen's Park today, instead of debating issues that people across this province are talking about, issues like the 13% sales tax, eHealth, the latest OLG scandal and lost jobs—that has been mentioned a bit this afternoon, of course—we find ourselves discussing Bill 185. The full title is the Environmental Protection Amendment Act (Greenhouse Gas Emissions Trading), 2009. As was made mention of earlier, in what has become somewhat of a trademark strategy for the McGuinty team—when in doubt, grab those green headlines with ineffective, costly environmental proposals—very simply, this government has come forward with somewhat of a local response to a worldwide issue. Granted, it might look good on the 6 o'clock news, but I'm not convinced that Mr. McGuinty is going to have an impact on our climate with this legislation.

During the 1970s, we talked about, "Think global, act local." With respect to climate change, I advocate "Think global and act global." We should start, obviously, with Ottawa and Washington and their very important relationship with countries like India and China. On this side of the House, our first clue to the ineffectiveness of Bill 185 came when this proposed legislation arrived on our desks at a whopping page count of one-and-a-half pages, if you subtract the title page and you subtract either the English or the French. This legislation is one-and-a-half pages long. A comparison: Take a look at the recent US legislation, Bill HR 2454, which was recently in the US

House of Representatives. The title is the American Clean Energy and Security Act of 2009. Instead of one-and-a-half pages, that came in at 1,200 pages long. One of the amendments alone was over 300 pages. That's to be expected for an all-encompassing—not just a national issue, but an international response to a problem where literally millions of pages have now been written on this subject and have come out on the electronic blog sites, for example.

We need solutions, we require solutions, really, on a world stage to be effective. So the US House of Representatives just finished up that cap-and-trade bill at a total of about 1,500 pages; we're debating a cap-and-trade bill of 1.5 pages. I see a difference here. Again, it's called global warming for a reason, and it requires a global response.

To be clear, and this was explained somewhat earlier, Bill 185 is cap-and-trade legislation. It goes by other names—cap and tax, for example. It's aimed, obviously, at reducing carbon emissions, carbon dioxide emissions and emissions of other gases—methane, for example—through setting emission limits for business and industry, with those unable to meet those limits having to buy carbon dioxide credits from those who emit less, or if some of these companies, industry or manufacturing have to increase their emissions, they have to buy more credits.

In many ways, the bill is what we see in this country as an extension of Stéphane Dion's Green Shift, although it is not strictly a green tax of the Dion school but it's an extension of the green tax. Basically it is a tax, albeit a hidden tax. Basically, as costs are downloaded, it becomes an extension of the Green Shift in the form of an indirect tax, a hidden tax on residents of Ontario and obviously it will have a negative impact on Ontario's industry, our primary industry and our manufacturing. Hence, we hear the moniker "cap and tax."

Now, in all fairness, this concept is far from new. Ronald Reagan and Brian Mulroney successfully addressed sulphur dioxide and acid rain through an emissions trading program, a program limited to North America, not global. So in that case, a form of cap and trade, a forerunner, did work with respect to those kinds of emissions between those two countries. But I do question, why would Ontario expose business and industry to an unlevel playing field? Why do this now, given the state of our economy? Why expose our primary industry, our manufacturing, to unfair trade and competition at both the out-of-province and international levels? Again, this at a time when the latest figures indicate we've lost 330,000 manufacturing jobs. That represents about 27% of the manufacturing employment that's gone down the drain. That's just in Ontario alone. We have an economy that continues to sputter along, if you will, under additional government hurdles and red tape, the kind of stuff we're going to see in Bill 185, the kind of measures, rules and regulations that will only impede recovery.

I do think, in all fairness, Mr. McGuinty is beginning to understand this. I read in the media he does lament



Ottawa's cap-and-trade musings as a threat to Ontario's manufacturing and was recently quoted in the September 10 Toronto Sun, as saying we are "now going to be placed at a disadvantage because of efforts we have made to close coal-fired generation." I really think somebody in government should have seen that one coming.

One of my main concerns about this legislation revolves around the inadequacy of what I consider this provincial—local, if you will—response to a global question. Quite simply, if some of the main producers of carbon dioxide are not going to be involved in this cap-and-trade gambit—I think of China; I think of India—how can Mr. McGuinty feel he can change the climate? How can he change the climate back without the involvement of some of the major carbon dioxide emitters such as China and India? And beyond that, how would we continue to compete with their uncapped imports? Hence, the moniker, and we hear this south of the border, the name they have for this, "cap and trade jobs to China." That's what it's called in some of the US states.

Now, when you consider that China, at 1.3 billion people, is the largest emitter of carbon dioxide in the world, you realize the true nature of this carbon question on a global scale. This is quite encouraging: Very recently India, at 1.15 billion people and the fourth largest emitter of carbon dioxide, announced a cap-and-trade plan. This was announced on August 25. I find that quite encouraging.

1510

Instead of spending time chasing green headlines, handcuffing industry and business, as is the case with this particular piece of legislation, this government would do better to rethink its approach to cap and tax and ensure that Ontario does not cap and trade jobs to China.

So here we are. We're in the dog days of a recession. Yet again, government has seen fit to bring forward environmental issues to centre stage, grabbing headlines but doing little else. In fact, this particular initiative is yet to be much in the media.

There are other things this government could be doing other than pulling the rug out from under the industrial sector and our manufacturers that have—so far, there are some that have survived this tailspin economy.

I do find it interesting to note some of the historical background on this expansive issue of climate change. It's certainly not a new concept. I'll just back up a moment to 1969. At that time I taught environmental science at Simcoe high school. It was a program under our agriculture department. One of my course offerings was the greenhouse effect. We talked about carbon dioxide, we talked about methane. That was 1969. So we've been talking about this—I've been talking about this—since at least 1969. My concern with the debate we have today is that we will continue to talk. There have been accusations of this government planning to continue to talk on this subject with very little action.

Let's go back a little further; let's go back to 1953. A friend of mine, Robert McKaskell, from Windsor, drew my attention to a Globe and Mail article of May 15,

1953. The headline: "Carbon Dioxide in Air Making World Warmer." So we knew about it in 1953; we've been talking about it since 1953. This is not something new. Some people get a newfound interest, I have noticed, over the years. I do see these cycles of concern, certainly in 1969—and the Ontario government of that day brought in admirable environmental legislation during that era and throughout the 1970s. So we talked about this in 1953, and under this government we will probably continue to talk about it on into the future.

When there's a bit of smoke, usually there's some fire. I do regret that this present Ontario government has done little save for—well, we know of the ongoing coal closure shell game, the closure of all the coal-fired generating stations in Ontario in 2007, which did not happen. But I have seen very little as far as action with respect to climate change, with respect to dealing with carbon dioxide, with respect to capturing, compressing or sequestering carbon dioxide. Nothing has been done by this jurisdiction.

So again, we've got an opportunity for more debate: Bill 185, the greenhouse gas emissions trading act—the McGuinty green shift, an extension of Dion's carbon tax. As I mentioned, in some corners it's known as cap and trade as a short form; it's perhaps more accurately known as cap and tax. That may be a more accessible title once the other shoe drops on this one. It's a hidden tax, it's an indirect tax, and as I mentioned, in some quarters it's referred to as "cap and trade jobs to China."

I am concerned that the first shoe to drop on this province's attempt to address global warming is going to lead to regulation. We know very little of what's in those regulations. We know virtually nothing as far as the feedback that came in on the effort by this government to ensure feedback and a registry of concern over the summer, which wrapped up in July. I've asked for some of that feedback and have not been given any of that information by this government.

The minister mentioned the Western Climate Initiative, WCI. As we heard, this initiative is a collaboration—Arizona, California, New Mexico, Oregon, Washington—to address climate change. Ontario applied to join last summer—somewhat of a johnny-come-lately on that one. Other jurisdictions have joined. Utah, British Columbia, Manitoba, Montana and Quebec have signed on. But it really kind of says something that our neighbouring jurisdictions had not signed on with Ontario. I think of the big farming and industrial states: Indiana, Michigan, Illinois, Ohio and Pennsylvania. I really wonder, do they know something we don't?

Now, we understand that the goal of WCI, the Western Climate Initiative, and today's legislation, broadly speaking, is to address climate change linked to carbon dioxide and other products in the atmosphere. In very basic terms, we would be asking companies that have a need to increase their emissions once the economy starts picking up again, or that cannot meet this government-set cap, this intrusion into the marketplace with a cap, to buy carbon dioxide credits from those who are emitting less.



Very clearly, that's government intervention in the marketplace. I know that some describe it as a market approach.

We can look back at the historic precedent with both Reagan and Mulroney, the emissions trading program that was successful. It addressed sulphur dioxide and the issue of acid rain. That program alone was based on Canada and the United States being at the table; that was not a piece of Ontario legislation. That's how it works. It's not going to be, say, through WCI; it's not going to be Ontario and Utah at the table changing the climate, or Arizona, Utah and Ontario sitting at the table.

Will it work? Will Mr. McGuinty change our climate? I really have my doubts, especially because in conventional wisdom this is a global issue.

Now, Jim Prentice, Canada's environment minister, has commented that the allowance of trade sanctions on imports from countries with higher levels of greenhouse gas emissions—again, it could be Canada, China or India. If the United States, for example, were to put those kinds of tariffs on our country, that would be devastating if we can't measure up to what they have been discussing in the US House of Representatives and what they have now commenced discussing in the Senate. He describes that as a prescription for disaster. That's known as trade protectionism under the guise of environmental protectionism. I do put forward again that that's a debate better left between Ottawa and Washington, or perhaps the World Trade Organization. That's not going to be solved by Utah and Ontario sitting down.

There are a few things, though, that we must recognize in this great country of ours and in this province. We do know that fossil fuels—natural gas is a fossil fuel—produce carbon dioxide. This government is building a number of natural gas peaker plants in the province of Ontario. So fossil fuels like natural gas, coal, of course, and oil produce carbon dioxide. What we have to bear in mind is that these fuels also provide 77% of Canada's energy. That's why Canada—and Ontario—became one of the best places in the world for investment and development. That applies to Ontario as well, or it certainly did up until the last several years.

1520

When we do talk about this bill, we must consider a number of issues, threats if you will—clearly the economic threat. We must think of our energy environment, the climate threat, of course. They're somewhat independent. Provincial legislation like this isn't going to pull that together, necessarily. We have an urgent need in this province to reinvigorate our economy, like the United States. We do have to enhance our energy security. We do have to make meaningful action to not only slow down carbon dioxide production but to stop it and possibly reverse these kinds of emissions if we have any hope at all of addressing a change in climate.

I will continue to address facets of these issues, but I do wish to point out the elephant in the room, the fourth threat, and that is overpopulation. The reason I mention that is that if we turn to the legislation and take a look at

the preamble—and I do give the bill credit for identifying this somewhat at the beginning—"most of the observed increase in global average temperatures is due to human activities."

Because climate change represents a global problem, it requires a global solution and international action. National and international leadership is essential. It's great for Mr. McGuinty to be involved and to kind of run around a bit and try to get meetings with the federal government. That's a good thing, but this has to be an effective international policy framework, requiring robust action by all the major emitting countries and, by extension, various provinces and states within Brazil and India and across Russia. But the bottom line for this to work is that it must be global, and again we must act globally.

When we talk about the global nature of climate change, so many people fail to recognize that elephant in the room, which is population. The year I was born, the world's population sat at two billion people. So far in my lifetime, population has more than tripled to what I consider an alarming—I thought it was about 6.5 billion people. The population of the world right now is 6.78 billion people. That's a tremendous increase from the two billion people when I was born. According to population projections, the world's population will continue to grow until around 2050. I'm not sure what's going to happen then to stop the increase. Perish the thought, really—I hate to think about that. Because births outnumber deaths, it's expected the world population will climb to nine billion by the year 2040.

I would like to take a look at the world's three most populous countries.

China is at the top of the heap. China has just over 1.3 billion people. It's the world's most populous country. It's also the biggest creator of carbon dioxide. China represents 20% of the world's population. One in five of the people living on this planet is a resident of China. They imposed the one-child policy in 1979. In April of this year they decided to continue that policy through to 2010.

The second-largest country in the world is India, 1.15 billion people. The population of India is expected to surpass China's by 2030. Ironically, India crossed the one-billion mark the same year the world crossed the six-billion threshold. In 1950, India's fertility rate was six children per family. They have attempted to address their overpopulation. I spent time in India, in northern India, in 1969. I remember the very large billboards—two adults and two children—a voluntary media-driven birth control program, essentially, in India. I remember in discussions at the time, the projections were that voluntary birth control, this kind of program, wasn't going to work. Regrettably, it did not work, as predicted.

The United States ranks third among the world's most populous countries, although there's a significant difference in their population, at almost 307.5 million people. The United States is growing by 2.5 million people each year, making it one of the world's fastest-growing industrialized nations. Just take a look at what has been going



on at the Mexican border, for example. By 2050, the US population is expected to grow by nearly 130 million people. I suppose that's something like adding another three states of California.

In order, the other countries with very large populations: Indonesia, Brazil, Pakistan, Bangladesh and Nigeria, followed by Russia in ninth place.

So when we read the preamble to this bill—and I do say it is quite appropriate to have that phrase in there that climate change, global warming, is attributed to human activities. Part of that is just the gross numbers of people, as I've indicated. Since the end of the Second World War, people in this world have skyrocketed from two billion to something like 6.8 billion people.

I'd like to read an excerpt from an article in *Science Daily* from April 20 of this year. "Overpopulation is the world's top environmental issue, followed closely by climate change and the need to develop renewable energy resources to replace fossil fuels, according to a survey of the faculty at the SUNY"—State University of New York—"College of Environmental Science and Forestry (ESF)."

At 6.7 billion people and a changing climate—and I think there is a link here; I don't deny the influence that 6.7 billion people have on the earth's climate.

I'll quote from that school. "Dr. Allan P. Drew, a forest ecologist, put it this way: 'Overpopulation means that we are putting more carbon dioxide into the atmosphere than we should, just because more people are doing it and this is related to overconsumption by people in general, especially in the "developed" world.'"

I might add the trend is to consume goods, especially in the developed world. Our trend, clearly, and certainly in the United States, is to consume goods manufactured in the underdeveloped world, China in particular.

Another quote, from Dr. Susan Senecah, who teaches the history of the American environmental movement: "But, whether developed or developing, everyone is encouraged to 'want' and perceive that they 'need' to consume beyond the planet's ability to provide."

Much of that consumption is fossil-fuel-based and carbon dioxide-based, again, yet another reason—and it's hinted at in the preamble to this bill—that we have to think globally. That said, an overpopulation of 6.7 billion is not going to be solved overnight and that's not going to be—I feel it's addressed in this legislation but this legislation doesn't deal with that one.

1530

Here is another issue: cost. If Ontario or North America have carbon dioxide costs, and China, for example, does not, then carbon dioxide regulations become what many consider a massive transfer of wealth to a country like China. More importantly, it will lead to higher carbon dioxide emissions globally as we see production shift from what is considered relatively efficient factory procedures, for example, in the United States or Canada, to what is perceived as less efficient processes in China, just because they can rely on inexpensive labour.

Any thought that Ontario needs to lead the world on greenhouse gas regulations and that the world will fall in place and follow, I consider that naive.

I put the question out there. I have not received an answer as to how much this will cost our economy. What is it going to cost as far as our own electricity bills go, for that matter, or the electricity bill that US Steel down in my riding will, hopefully, be paying once they get running again?

**Mr. John O'Toole:** It's closed.

**Mr. Toby Barrett:** And it's closed now, regrettably.

When starting to think global—I think the question is interesting: How can you control all the carbon dioxide emitted by all the nations in the world, taking into account the different levels of development? I feel the answer is, you can't. I really don't have my hopes up on this one.

By the same token, how would we expect countries to create carbon taxes? How could they agree on carbon taxes? Come election times in those democratic countries, the temptation would be to cut those kinds of carbon taxes. I'm concerned we may see the same kinds of pressures on any kind of cap-and-trade process.

I do disagree with Dion. I feel that cap and trade in the long run would be more effective than straight-out carbon taxes. But maybe an argument can be made for these kinds of hidden taxes. But when you have so many countries involved, then you start hearing talk about trade tariffs.

I'm going to talk a bit about coal. The People's Republic of China is the largest consumer of coal in the world. It's about to become the largest user of coal-generated electricity. If anyone is interested in these figures, they get 1.95 trillion kilowatt hours per year, or 68.7%, of their electricity from coal. These are 2006 figures. In the United States, 49% of their electricity comes from coal. I think nuclear provides only about 20% of the energy in the United States. Canada relies on hydroelectric for about 20%.

China has 13% of the world's proven reserves of coal. That is their present key for economic growth. They can continue that for a century or more, although even now their demand for coal is outpacing their production. Their production, as many will know, is the deadliest in the world. They've got the world's worst safety record. About 13 people die every day in Chinese coal mines. In the United States, regrettably, about 30 a year die. Coal production in 2006, year by year, rose 8% and production was sitting at 2.38 billion tonnes. The nation's largest coal enterprises saw their profits exceed well over \$8 billion a year.

At this point in time, there's no question that China's present and China's future are based on coal. This legislation may not change that. My worry: If China is not onside and if China is not part of any carbon trading scheme, we're spitting in the wind, so to speak, especially if you think that hampering industries and manufacturing in our own province—and I know Mr. McGuinty is concerned about the impact that cap and trade will have



on manufacturing in Ontario. So if we hamper the industrial activity in Ontario and in various states in the United States, I am not sure to what extent it's going to make much of a dent in carbon dioxide emissions and to what extent the cost can be justified.

There is some hope. I think I had mentioned earlier that at the end of August, India did announce they had plans to cut 100 million tonnes of carbon dioxide a year by creating a market for energy certificates. Reuters reported this just on August 25 this summer. The headline: "India Unveils Cap-and-Trade Market Worth \$15 Billion," and "The plan involves creating a market-based mechanism that would allow businesses using more energy than stipulated to compensate by buying energy certificates from those using less energy because of energy efficiency practices."

It sounds like a cap-and-trade program. The government of India "is setting up energy benchmarks for each industry sector. Companies that do not meet the benchmarks would have to buy the certificates under a reward-and-penalty system.

"A government statement said the efficiency mission would ensure an annual saving of 5% of India's total energy consumption and a cut," as I'd mentioned, "of about 100 million tonnes of carbon dioxide every year from its annual emissions of"—according to this Reuters article—"three billion tonnes" a year. That seems awfully high to me. I'm suspicious. There is that tendency to kind of highball it and then anything that you can work your way down, you can get credit for it. Three billion tonnes a year—I wonder about those figures. It's a plan that will make things more difficult for energy-inefficient companies, a good thing: They've announced financial support. There's a fund that provides the banks with guarantees for loans to go to the energy-efficient projects. So it's nice to see the government of India bringing in a carrot approach.

They talk about a second fund that will support investment and manufacturing of energy-efficient products and the provision of energy-efficient services. Two funds; the government has indicated they have budgetary support. I'm heartened by that. That's using the approach of a carrot rather than a stick. Congratulations to India if this is true and if they are going to pull this off. That's coming a long way. I mentioned my time in India. That was a time of bullock carts and coal-burning steam locomotives. I found those gigantic locomotives so interesting to see as I travelled across India, steam locomotives brought in mainly from Britain and the United States.

But as far as this announcement—I know talk is cheap. I have been exposed to the Indian bureaucracy. It's ponderous and it's slow-moving. It certainly was in 1969. It would take me all day sitting in front of a bureaucrat to get a travel permit, for example. I always refused to pay the bribes, but at that time India was notorious for a very slow-moving, labour-intensive bureaucracy. I don't have my hopes up on this, but they made this announcement a few weeks ago. I think that's a good thing.

Most companies in India—and I will mention that India is Asia's third-largest economy. It's also the fourth-largest emitter of carbon dioxide in the world. Most companies don't keep records. They have no plans. They do not measure emissions and at present, they have no deadlines to curb them. But energy efficiency is the focus in the previously announced climate change policy announced by India last year. It lays out a road map for a green economy, if I can use that phrase, but it didn't fix any targets for carbon emissions. With such very high emissions of carbon dioxide—after China and the United States and Russia—it's worth noting that India's per capita carbon footprint remains relatively low at 1.2 tons a year. Now, that makes sense because there are so many people who live in India. In the United States, the per capita emissions are 20 tons a year per person. The world average: about four tons per capita.

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The International Energy Agency—this is a policy group based in Paris—forecast that the demand for energy in India would more than double by 2030. If their policies do remain unchanged, per capita emissions will double—and we're talking about per capita emissions of the country that eventually is going to be the largest country in the world. Even at that, their per capita emissions, we recognize, remain well below the average of industrial countries.

That agency, the International Energy Agency, forecast the transportation sector will drive up energy demand the fastest, and India will soon be well known for producing automobiles. Coal imports to India are going to increase seven times over, and construction will skyrocket—again that's very energy-efficient.

Hillary Clinton visited India this summer, I think it was. She had a bit of a to-and-fro with the Minister of Environment and Forests, and apparently this did not go over well. Ms. Clinton, US Secretary of State, indicated to the minister, "It is essential for major developing countries like India to also lead. Because over 80% of the growth in future emissions will be from developing countries." Well, that went over like a lead balloon, and the minister, Jairam Ramesh, replied, "There's simply no case for the pressure ..." Again, the US is putting pressure on India to bring in caps on emissions. "If this pressure was not enough, we also face the threat of carbon tariffs on our exports to countries such as yours." And he's probably right. I understand that not only the United States but also Japan and Europe are talking about protectionism. They're talking about carbon tariffs on imports that don't meet the bar.

I'd like to talk a little bit about China. It's difficult to find out what they're doing. We do know that in China top Legislature, for the first time in its history, is specifically addressing climate change with a review of a draft resolution. So we're told. Ni Yuefeng, a vice-chair of the National People's Congress environmental committee, indicated this resolution shows the NPC is taking the issue seriously: "The involvement of the legislative body in climate change issues will help facilitate govern-



ment actions to combat global warming.” So I find that encouraging.

We also hear from Shi Zhengrong, the chief executive and founder of China’s biggest manufacturer of solar panels. It’s a company called Suntech Power Holdings. Apparently, Chinese companies have already played a leading role in pushing down the price of solar panels. They pushed it down by half, according to what I read here, and the CEO of the company goes on to say that through Suntech, their strategy is to build market share installing solar panels on the American market for less the cost of materials, less the cost of assembly and shipping. Now, that sounds familiar. I don’t know whether anybody here has opened a can of Aylmer/Del Monte fruit cocktail—that’s associated with CanGro. The pears and peaches in those cans and containers used to come from Niagara. They now come from China. They taste different too; I can attest to that. This is a trend we see. Now we will see it with solar panels. I’m not surprised. Just about everything seems to come from China.

As far as climate change and cap and trade, these international trading relations, say between the US and India, are important. US-China relations in our world are key. Again, I hope we’re not discussing legislation that is part and parcel of cap-and-trade jobs to China; this is my concern. At present, the United States—here are some figures—imports \$338 billion of Chinese goods. These are 2008 US Department of Commerce figures. India exported about \$21 billion to China last year.

But, as I mentioned earlier, global warming policies being considered by the United States and Japan risk provoking trade barriers, and officials in both India and China have been quite public in their concern about this. So it can be argued that we could go down the wrong road on cap and trade and, if anything, go back to trade protectionism. It can be an excuse to place trade barriers and tariffs on imports from other countries by calling their products environmentally dirty or beyond the criteria for carbon dioxide.

It is important for us to realize the World Trade Organization rules. They make it fairly clear that trade-limiting measures imposed to protect the environment should have the purpose of protecting the environment. They should not be used to address any adverse competitiveness on domestic industry. So if you break that connection between measure and purpose, you do have yourself a problem, and as a result you would see litigation and you would see retaliatory tariffs around the world, or you would see both, I would imagine.

I don’t expect India or China to stand idly by as their trade is embargoed, and I’m not clear on what Canada is planning on doing on this issue, for that matter. I know that Mr. McGuinty is worried with respect to Ontario’s manufacturing. Mr. Harper is on his way to Washington this week. I would hope there’s an Ontario contingent accompanying Mr. Harper to Washington, because we’re talking about an international issue here and I hope this particular subject is on the agenda. The bottom line is that we should not get tied up in developing moot local

cures that hamper our business owners while failing to address the expansiveness of this issue.

Both India and China are on the road to joining WTO, the World Trade Organization. India did walk out on the Doha round of talks last year. They collapsed, in large part because the US insisted on removing support prices for farmers and, like Ontario and so much of Canada, farming is a very large and important constituent in a country like India. As part of that process for these two countries to be more involved in WTO, the West indicated it wants more changes beyond the use of subsidies and taxes that we see in those countries; it wants co-operation on climate change.

Now, oftentimes when the words “climate change” come up, officials in India and China are quick to point out that that is a result—a creation—of Western excess.

1550

I have a thought: Ontario has joined the WCI, the Western Climate Initiative, with jurisdictions like Arizona and Utah, as we heard. When this was announced last summer, I would say to people in the coffee shops: “Ontario just signed a climate change deal with Arizona. What do you think?” People’s eyes would glaze over. It’s very difficult to explain a lot of this, I find, and I do regret that this government didn’t have any town hall meetings that I could attend to see what people had to say about this. When you talk about Ontario signing a deal on climate change with Arizona, to some I think it makes about as much sense as signing a climate change deal with Utah. Then I explain to them, “Well, Ontario did sign a climate change deal with Utah as well.”

If cap and trade is to be global, if it is to be market-based, perhaps we should really consider organizing it under the World Trade Organization. I feel there’s success there. Again, we in this Legislature are a provincial entity, and I would expect—I would hope—that Mr. McGuinty is approaching Ottawa and Mr. Harper with some of these measures.

Now, what of the United States, the third-largest country in the world? We know that the US House of Representatives passed their bill on June 26, also known as the Waxman-Markey bill. I followed some of that debate, and I got a kick out of some of this.

US House of Representatives, June 16:

“The Chair recognizes the gentleman from Ohio, Mr. Latta”—that would be Congressman Robert Latta, a Republican from Bowling Green, Ohio, and he spoke:

“Cap and tax is nothing more than it is going to be, a national energy tax.”

Again, Mr. Latta represents the fifth congressional district in Ohio. As he pointed out, it’s not only the largest manufacturing district in the state of Ohio; it’s the largest agricultural district in the state of Ohio, just across the lake from the west end of my riding, and just across the lake from Speaker Steve Peters’ riding—an economy like Ontario, like my riding, based on agriculture, manufacturing and industry.

Mr. Latta, the representative from Ohio, went on to say, “But who’s our competition? You know, last week,



we had the AG secretary before us in the agriculture committee, and we asked questions about China. And China is not going to abide by cap and trade, and in fact the day that we had the hearing, they said that they were not going to abide by cap and trade." He concludes by saying, "I would ask that this legislation be defeated."

He did not get his wish, as we know. It did pass, although 49 Democrats did vote against Obama on that cap-and-trade bill.

He talks about the Heritage Foundation and the Brookings Institution, who have put out a formula on how many jobs are going to be lost. The Heritage Foundation has estimated anywhere from 1.5 million jobs being lost in the United States. Carrying out to the end date, the Brookings Institution estimates this will cause the loss of 2.5% of employment in the United States. In this Heritage Foundation study, they used what's called a manufacturing vulnerability index. They measure the amount of energy used and the type of energy. Again, the representative points out that in the state of Ohio, 87% of their energy comes from coal. Next door in Indiana, just to the west, 94% of their energy comes from coal. So his particular area, his jurisdiction, is in trouble.

He went on and talked about the fact that it's not just affecting people on the industrial side and the manufacturing side. He makes reference to his farm constituents. Like in Ontario, over half of his farmers have to have a job in manufacturing or in industry or in towns. They have to have that balance. They're worried, as he says, about not only having to turn on the energy at the workplace, but also turning on the energy at the farm. This sounds all too familiar. Again, his concern: How is a farm going to survive, especially with the pressure from cap and trade? They're going to go up 10%, as far as taxes related to this legislation. He makes reference to both gasoline and diesel prices going up 58%, electricity cost projections of 90%, all by the year 2035.

**Hon. Leona Dombrowsky:** They're guesses.

**Mr. Toby Barrett:** I'm quoting a representative in the US House of Representatives, and I hope to be in touch with him. He's the guy who's fighting for his steelworkers, I might mention.

Let's go to Illinois, another big farm and industrial state. Representative John Shimkus joined the debate. This is later on the same day. He makes reference to figures from the Pennsylvania Public Utility Commission, which sent a memo to his delegation:

"If the Waxman-Markey bill were to pass"—and we know it did—"Pennsylvania is looking at a bleak scenario by 2020: a net loss of as many as 66,000 jobs, a sizable hike in electricity bills of residential customers, an increase in natural gas prices...."

"And if you don't believe that"—these are his words—"just listen to the comments made by now-President Barack Obama in January 2008: 'Under my plan, a cap-and-trade system, electricity costs would necessarily skyrocket.'"

Republican Bob Inglis of South Carolina continued this debate. When he was in Spartanburg, they had a

town meeting and folks were joining in the debate. There were folks who spoke passionately, and he was in agreement. There were others who really didn't buy the science of climate change. But there was a very good discussion, a very good debate.

I do ask the members opposite, how many town hall meetings have you hosted on cap and trade? How many meetings have you attended? I'm not aware of these town hall meetings in the province of Ontario on this subject. That probably explains why I do draw a blank stare when I'm in a coffee shop and I start talking about McGuinty signing a climate change deal with Utah.

So where were the meetings? I think Minister Gerretsen had a meeting. He spoke to engineers at McMaster. I don't know whether the press was there or not. I didn't hear about these meetings.

I encourage everyone here to host some meetings.

A number of times I've hosted a symposium on energy and the environment. I've invited Minister Gerretsen. I've invited the Premier. I had a meeting last fall. I had 250 people come out.

I encourage you to start having some town hall meetings.

Again, the member from South Carolina—and I know I'm running out of time—went on to state: "It starts by stopping the current cap-and-trade proposal. The problem with cap and trade is: It's a massive tax increase in the midst of a recession; it's a Wall Street trading scheme that would make traders on Wall Street blush; and it punishes American manufacturing because the tax—the cap and trade, which is essentially a tax—is applied only to domestically produced goods and not to imported goods."

Indiana representative Mark Souder, with similar concerns: "The cap-and-trade bill, or as many of us call it, the cap-and-tax bill, are what a manufacturing district like mine would call a 'cap and trade our jobs to China bill.'" This is in the state of Indiana. This is where a lot of Ontario steel is now being made—Gary, Indiana—and that's a shame.

1600

He represents what would probably be the northwest corner of Indiana, this side of Chicago. That's where they made the motor homes at one time. When you travel through there now, you still see the Amish buggies, and that will continue, but nobody's buying the large motor homes right now.

He mentions here he has one thing going for him: "We have one of the biggest pickup plants in the world. It produces the Silverado and the Sierra." I drive a GMC pickup truck. I guess it's a Silverado; I can't remember. The last Chev Sierra pickup truck rolled off the line in Oshawa last May 14. At least they're still making them in Indiana, and if my farmers wish to acquire a truck, something that is required in the business of farming, at least you can still get them in Indiana. The steel for that truck, if it's through US Steel, is not being made at Nanticoke right now; it's being made in Gary, Indiana, which is regrettable. I have yet to see the province of Ontario jump in on that debate.



I go down to the front gates at US Steel quite regularly. I was down there Friday night at 9:30. My question Friday night: How many windmills would it take to run this steel plant? You can imagine the kind of response I got.

I think I'll end there. I know I have about two seconds left. I thank you for the time.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Tabuns:** My thanks to the member for his brave attempt to get through that hour.

He raised many, many points, but one point that he touched on was the effectiveness of this. I have to go back to the parliamentary assistant and the question I asked the minister when I spoke before, and one that should have been answered before my colleague rose to speak: How many megatons of greenhouse gas emissions will this bill actually reduce? Because frankly if you don't have a goal, if you're just talking in very general terms about putting in place this legislation, then this bill's primary function exists to say that we have a bill rather than to do something.

There are a variety of matters before us. There's the American legislation. There's the pending federal legislation. At no time have we had any word given by the minister or the parliamentary assistant about how these things will mesh. If in fact a federal system is put in place, if in fact that federal system has any impact all, will this government proceed with cap and trade in Ontario? And if it does, how does it sort out the whole question of emissions certificates?

There are big questions that should be answered to us, the legislators. We are being asked to vote on a bill that is of consequence, we are being asked to speak on an issue that is of consequence, yet we do not have before us the mechanisms that detail how this will be carried out.

I don't generally measure the ability or the consequence of bills by their net weight on the scales, but I have to say that the Waxman-Markey bill in the States, the American cap-and-trade bill, is a lot more detailed so you can actually say, "Okay, I can see how these mechanisms work. I can see how this rolls through an economy."

That isn't what we have here. What we have here, I think, is a placeholder so that the government can say, "We have a bill." I could be wrong. I look forward to having more information from the government on exactly how they will make this thing work.

**The Acting Speaker (Ms. Cheri DiNovo):** The member for Mississauga South.

**Mr. Charles Sousa:** I am pleased to stand in favour of Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading.

Some have said that it's too big a problem and that we should do nothing. I disagree. We need to be leaders in this House to improve our air quality and grow our economy. Climate change is an enormous challenge. We need to act now to protect our air for present and future generations. Bill 185 is an incredibly important initiative

that will see real reductions in our emissions in this province.

Air quality is a major issue in my riding of Mississauga South. The Clarkson airshed study identified our air quality as stressed. Residents have concerns about the cumulative effect of emissions in the area, especially in light of a proposal for a gas-fired power plant in this district.

That's why I welcome a comprehensive plan to improve our air quality and establish targeted emission reductions in south Mississauga. The OPA has recently delayed its selection in order to develop such a plan. By working together, our community has achieved this goal.

Reducing emissions is crucial not only to tackle climate change but to protect human health, and a cap and trade is an effective way of doing just that. It helps Ontario achieve its climate action plan targets, it helps to drive innovation and it also accelerates Ontario's transformation to a low-carbon economy that will bring the associated new green jobs.

That's why I support this bill, which reduces emissions province-wide and grows our green economy. It will help set and achieve real targets for emission reductions. These efforts are crucial not only for my community, but crucial for the province of Ontario, and they will benefit generations to come.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Simcoe North.

**Mr. Garfield Dunlop:** I'm very pleased to be able to stand today and make a few comments today on our member's leadoff speech. I really wanted to go back to the minister's speech when he actually, in his closing remark, chastised the member from Durham. He used two examples. In one, he used comments from the Environmental Commissioner of Ontario, Mr. Gord Miller, and how Mr. Miller supported this legislation. Then he brought up the topic of the David Suzuki Foundation and how the Suzuki foundation supported this legislation. I agree that you take those opportunities and you use those kind of comments.

However, it's just been so amazing. I've been through the site 41 landfill battle this summer up in Tiny township. I think we've all heard about it. It was amazing that those very same two people—Mr. David Suzuki from the Suzuki foundation wrote a letter to the Premier and to the Minister of the Environment asking them to please reconsider and intervene. Also, the Environmental Commissioner has given a long report on an application I put in under the Environmental Bill of Rights to have the application reviewed. He is completely ignoring the Environmental Commissioner on that particular application. So it's nice how you can be selective on one bill, but when the facts come forward from another issue, you completely ignore them. They've had no response or anything else. The Environmental Commissioner was completely ignored on his thoughts on the site 41 legislation. The Minister of the Environment basically stood idly by and did nothing. I thought it was interesting that when you're creating legislation, how selective a minister can be in his thoughts and comments at particular times.



**The Acting Speaker (Ms. Cheri DiNovo):** The member from Beaches–East York.

**Mr. Michael Prue:** I listened intently to my colleague and friend from Haldimand–Norfolk. He spoke quite eloquently for about an hour. It was a little rambling at times, I must admit, but he came up with some good points, points that I often do not hear. One of the points that he did talk about was the problem in the world of overpopulation and how overpopulation is driving the environmental degradation to the same extent as, or possibly to a greater extent than, global warming. It is refreshing to hear that because very often, when one talks about seven, eight, 10 or 12 billion people as if it's not going to impact the earth, it is an erroneous assumption.

He also talked about the fact that—and I listened intently—he was more in favour of cap and trade than a carbon tax, although he then went on to attack the cap and trade for a good deal of his speech. I would have to agree with him that the cap and trade is probably a far better system. Canadians in general seem to believe that as well.

But when it came down to him talking about his arguments, he seemed to give less weight to the environmental degradation problems that are occurring than he did to the economic argument. I have heard the economic argument, and I think most of us have for a long time. People are afraid to take that bold first step to a greener economy, a greener future for themselves and for their children because it may cost jobs and it may cost in terms of money, and I think we ought to reject that. We ought to, for the sake of our children and the people who are going to follow us, reject that, because we have to leave the world in at least as good a position, and perhaps a better, than we found it ourselves. He has questioned the environmental aspect of all of this, but not the economy, and I think we have to start looking at the two in tandem. The economy that produces a degrading environment has to go just as fast as the degrading environment itself.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Haldimand–Norfolk has up to two minutes to respond.

**Mr. Toby Barrett:** I appreciate the comments. The member from Toronto–Danforth raised some very good questions. Through this legislation, how much carbon dioxide will be prevented? How do we measure this? How does it work? Where's the detail? I have to admit I have not read the 1,500 pages of the US representatives' bill.

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**Mr. Garfield Dunlop:** Why not?

**Mr. Toby Barrett:** I know. Why haven't I? I plead guilty. I don't know how to get it on the computer. I also do not have high-speed Internet. I live out in the sticks and I don't think I'd be able to access it.

But the concern—and I concur that there is concern if this one and a half pages is just kind of show-and-sham politics.

The member from Mississauga South mentioned that natural gas plant peaker plant. Yes, natural gas is a fossil

fuel. It creates carbon dioxide. These plants are being built by your government in the province of Ontario. At least you're not fighting a nuclear plant in your riding or a brand new coal plant, as we see in so much of the rest of the world.

The member for Simcoe North, speaking of fighting, is involved with site 41, and his indication is that either the Minister of the Environment's not up to the job on that one or the ministerial processes or the environmental processes are just not able to deal with that and give people the kind of say that they want.

The member for Beaches–East York: I appreciate him picking up on this issue of overpopulation. In my view, 6.7 billion people do create, by various means, an awful lot of carbon dioxide and do have a tremendous impact on the world.

As far as the economic impact, I ran out of time. I would have talked more about the potential damage to the economy.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate? The member from Toronto–Danforth.

*Applause.*

**Mr. Peter Tabuns:** I still have my supporters and enthusiasts in this House—not a lot of them, but I still have them.

Madam Speaker, as you know, Ontarians want to know in a fundamental way that their children will have a future, that their grandchildren will have a healthy environment, an Ontario that will be clean, that will be prosperous. They know that the threat of climate change is real and they are looking to the government, they are looking to all legislators to actually take the action necessary to stabilize our climate, to deal with our economy, to give us that future. They want the government of Ontario to act now, to act forcefully, to act effectively to make a difference in the next few years so that we don't have significant disruption of our society.

Bill 185, the bill that's before us, aims to set up a cap-and-trade system for greenhouse gas emissions here in Ontario. Our party, New Democrats, have serious concerns about the effectiveness and the fairness of what's put before us. I have to say that part of our concern comes from the very fact that the bill is so skeletal that it is hard to know, in fact, what will actually arise out of what's before us. We're concerned that this plan is neither effective nor fair.

I want to talk today about the context within which this plan has to function, I want to talk today about what I believe has to be in such a bill for it to be of consequence and I want to talk about the larger question of how we take on climate issue, how we take on the economic issue here in Ontario.

We face two great races before us. There's a race to stabilize the climate, and I'll talk about that at greater length, but there's a race to get ahead of the changes that are happening in the world so that we don't deal with disruption that we can't handle. There's another race, and that's the clean energy race. Increasingly, as I read the literature, it is very apparent that in the United States,



China and the European Union they understand that just as the space race defined a lot of technological policy, foreign policy and military policy in the 1950s, 1960s, and 1970s, the clean energy race, the race both for the industries of the 21st century and for energy security, is going to be critical to the well-being of government and nations in the decade to come, and we can't afford in Ontario, in Canada, to be non-players, to be out of those races, to be losers, laggards in that race. This bill as put before us today doesn't, in my opinion, take us very far forward in either of those races.

I want to first talk about that race to stabilize the climate, because there are consequences to climate change that are both local and global. Every year that passes, climate change becomes a greater threat to the health and economic well-being of Ontario. Ontarians are already suffering the effects of global warming. Take, for instance, the increase in the number of extreme weather events in Ontario. This past summer, thousands of people in Hamilton, Ontario, had their basements flooded in a once-in-a-century storm. Well, that term, "once in a century," a term that was developed for engineers to design capacity for sewers, to set up the proper infrastructure for buildings, is going out the window, because what was once in a century is going to become far more often once in a decade. People in Hamilton, directly in their basements, took an economic hit because the scope of extreme weather events is getting greater, and the frequency is becoming more often.

We lost the life of a boy this summer, and hundreds lost their homes in Vaughan because of a very large, powerful storm system that moved through Ontario with multiple tornadoes. Residents in Ottawa, Sarnia, Thunder Bay and Peterborough have all experienced damaging flooding events over the past 20 years, leading to hundreds of millions of dollars in damages. David Suzuki was referenced earlier in this debate. Recently his foundation commented that the frequency of natural disasters in Canada has tripled between the 1960s and the 1990s, at least in part because of warmer air associated with climate change.

So the reality for us here in Ontario is that we are getting hit, that we are starting to take damage at the first, very low-level edge of climate change that we're seeing here in this province. This is like a day towards the end of winter, and we can see summer coming towards us, much hotter. This is like a warm day at the end of winter, the events that we're starting to see now. We are seeing effects globally that are going to affect us locally. Impacts that are distant now will have substantial consequences for us, for our families and for our country in the years to come. Just this August, the Danish Institute of Meteorology reported that the expectation that the Arctic would be ice-free decades from now isn't in touch with the trends that are actually there, that in fact by 2015 we may well see an ice-free Arctic.

I have to tell you a personal story, Madam Speaker. In 2001, I went to the Kyoto negotiations in Bonn, and when I was flying over there I was reading the text of a

book by Bob Hunter, who is a prominent environmentalist in Canada.

**Hon. Leona Dombrowsky:** Was.

**Mr. Peter Tabuns:** Was. Thank you. Bob had written a book called *Thermageddon*, and this was in 2001. We both followed the science, and he said, you know, "I can't believe that the Arctic ice cap is going to be around much longer than 2030, and when we hit that point, there's going to be a substantial disruption of world weather systems." I liked Bob, but I really thought he was a bit off the mark, because everyone in the scientific community was saying 2040 or 2050. What's clear is that he was being conservative when he said 2030, and the estimates that we had in the 1990s and the beginning of this decade understated the scale of change and the pace at which change could and has come. That's of consequence for us in terms of rainfall patterns all over this country, all over this world.

To the member for Haldimand-Norfolk, if you look at the study that was done by the government of Canada in the 1990s talking about agriculture in Ontario and the need in this province in the next few decade for irrigation-based agriculture becoming far more dominant than it's ever been in our history, that has consequences in terms of cost, in terms of the burden that will be put on agriculture. That matters to us. That matters to us profoundly.

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This weekend the Toronto Star ran a series on India and the impact of drought there; their headline: "India: Dying of Thirst." The reality is that with climate change we're beginning to see a disruption of the monsoon upon which agriculture depends in East Africa and South Asia. Any members in this Legislature who come from a South Asian background, from the Punjab, Pakistan, India, Sri Lanka or Bangladesh, all of those people and the communities that they are connected into are going to have to deal with the reality of disruption. The erratic nature of the monsoon is already setting in. When they talk in this Star article about the impact in India, they talk about a 40% reduction in food productivity in that country in the next 70 years. Seventy years is a long time, but frankly, given the growth of the population, even if the growth of food flatlines in the next few years, that is of substantial consequence. If the production of food drops 10% in the next decade or 15 years in India, in South Asia, that is of substantial consequence to the stability of that region and to the families and communities that we all connect into because South Asia is no longer a stranger. All of us have South Asian friends. All of us have South Asia as part of our lives here in Ontario.

It's very clear now that the projections that were done in the 1990s and the beginning of this decade understated the situation and that we have a problem moving much faster than we expected at that time.

There's a second reality that I referred to at the beginning of my speech and I need to expand on now, and that's the clean energy race. If you look around the



world, governments understand that oil and natural gas are not going to go on forever. You see China moving into East Africa. You see it moving into the Sudan. You see an interest of China in the oil sands in Canada. You see American, Russian, European and Brazilian interests in oil that are going after a resource that is crucial to the operation of the industrial machine, to the operation of transportation in this world. Countries understand that they have to secure their future by making sure they have as much energy as they're going to need to operate their society, and secondly, they know whoever is making the products of the future is going to have an extraordinary advantage over those countries that don't have those products. These issues all tie together: climate action and economic action.

China has seen that renewable power development is a priority for their economic future, and so they have actually decided in the last year to invest from \$400 billion to \$700 billion over the next decade in renewable energy. They have decided to become strategically significant on a global level in renewable power. They've already, or they will have by the end of this year, installed enough wind energy capacity to make them the largest wind electricity producer in the world. They are already the leading solar panel manufacturer in the world. They're competing with Japan to become the number one producer of electric cars. They're starting to nail down their abilities in a variety of crucial technical areas. And this, for us, has got to mean a lot of hope, because there's no question that the emissions from China and India are a problem for the world's climate, and to the extent that China, India and other countries that rely on fossil fuels move into renewables, that's an advantage for us.

But the concern is that we here in North America are being left behind. We made a huge mistake in the 1960s and 1970s with electronics. The whole electronics revolution—all the consumer electronics that we rely on now are made in Asia. In the 1960s in North America, there was a focus on protecting vacuum tube manufacturers selling transistor patents to Japan. Today we don't have that many vacuum tube manufacturers left in North America. It ain't there anymore. We have microchips, we have transistors, we have very sophisticated electronics, and it has moved away from this continent. We on this continent have felt for a long time that we could become a service-oriented economy, that we could do banking, we could do engineering, we could do the thinking, and someone else would do the manufacturing work, the assembly work. Frankly, that is not going to hold up over decades. Those who control the technologies of tomorrow by manufacturing now are going to be the leaders in the world economy, and we will become their hinterland. That's of consequence for us.

And so we have these two races, to stabilize the climate and to make sure that we're an economic player for the decades to come. This bill and the plan within which it exists are too feeble to actually drive the changes that have to happen so that we're players in those two races.

Ontarians want serious action on greenhouse gas reduction, they want serious action on creation of green jobs, and right now they're not seeing it. They don't believe it's happening, and they are right. According to a Harris/Decima poll that was released in August, 70% of Ontarians think the environment should be as high a priority for governments as the economy, even during a recession. They believe that we as legislators should be taking action to protect their health and their future even now; it should not be something put on the back burner. A similar percentage of Ontarians say that the environment is more important to them now than it was 10 years ago. When you see headlines like "India: Dying of Thirst," when you see storms coming through and flooding thousands of basements, and lines of tornadoes running across southern Ontario, then after a while you put together the pieces and you say, "You know what? We've got a serious problem here. We've got to do something about this. We can't just rely on photo ops and very skimpy bills that get to have a history of announcement and reannouncement and reannouncement."

Ontarians are worried that the action that will be taken to deal with environmental issues won't be taken in a way that is fair and that allows them to hang on to their standard of living. Some people, when I say that, sort of recoil and think, "Well, they want to live in a palatial way." But a lot of people live paycheque to paycheque, and for them, price shocks are extraordinarily difficult. So when we go forward with a plan, it's one that has to protect people so they can continue to lead stable lives, lead lives avoiding as much deprivation as possible, while at the same time making those changes to our atmosphere and our economy that allow to us move forward.

Those people fear that this government will let very powerful companies, very wealthy people, get away with doing what they want while they in fact have to take the hit economically and take the hit environmentally. Those same people are the ones who are affected by heat waves, because good air conditioning is expensive. They are hit by floods. They are hit by extreme cold weather. These people, the big bulk of the population, our folks, don't have the money to make the kind of investments that they need to reduce the energy consumption in their homes, and they need to have that support. They need to have government financing programs like the ones that exist in Manitoba so they can get low-interest loans, pay the cost of the insulation upgrades, the window upgrades, the change in their heating systems to geothermal, have all of that done without them having to put tens of thousands upfront, but allow them to have it done and allow them to pay for those changes with the savings they get from reduced energy bills. That's of consequence.

1630

The McGuinty government has been in power for six years. It has had six years to actually put together a climate plan that will take Ontario where it needs to go. It has set targets for greenhouse gas reductions—and they were set in 2007, before the last election, so four years



into its mandate. Not exactly a highly urgent move on that particular item. But the targets it set—it's still not clear how, in fact, they will be achieved. It is as murky as this bill before us today.

In his assessment of the recent government progress report on climate change—and that was earlier this year—the Ontario Environmental Commissioner, Gord Miller, said that while “quantifiable greenhouse gas reductions, fixed timelines and realistic targets are the cornerstone to any plan.... Real numbers are absent from this plan.” Real numbers are absent from this plan, and that's the situation we find ourselves with in dealing with this plan today, this cap-and-trade bill. When Mr. Miller, the Environmental Commissioner, complains, “The report provides little in the way of detailed analysis to clarify or quantify how 10% of the 2014 greenhouse gas reduction target will be delivered through transportation-related initiatives,” he has reason to worry. He isn't just looking at a report and making a glib comment; he is making a fair comment. You don't see how things will actually be achieved. The plan is not set out.

When the minister, John Gerretsen, spoke about the government's achievements—and he talked about smart meters and transit investments. Frankly, to talk about individual pieces and not add them up and show whether you're getting to your target or not doesn't give me any reassurance and doesn't give the people of Ontario reassurance. It's like saying that I borrowed \$100 from you, and you say, “You haven't paid me back,” and I say, “But, Madam Speaker, I gave you a buck yesterday and I'm going to give you two bucks today, and last week I gave you three dollars.” You say, “That doesn't add up to a hundred.” “But I've given you money,” I'll say. It's the same with this Liberal plan. There are a variety of small announcements that, if you don't understand the larger picture, sound like something's happening, but in terms of something actually moving forward so that we are a player in that climate race and so that we're a player in the clean energy race, no, we're not seeing it. That's not happening.

If you look at where the emissions are really coming from, you should note that the biggest increase in emissions in Ontario since 1990 is from SUVs. And that needs to be broken down a bit, because when you look at that number, you have to understand that that happens in a situation where urban sprawl continues unchecked in this province. In fact, if Ontario didn't have sprawl and had SUVs, we'd have dramatically lower emissions. It's the sprawl that drives the amount of emissions, that forces people to drive long distances every day. The critical piece, when you look at that number, is the ability to have an urban fabric that allows people to walk to work or take transit conveniently, and if you don't have that, you're going to have high greenhouse gas emissions from vehicles. This plan isn't going to address the single biggest item that has driven the increase in greenhouse gas emissions in this province—the biggest one.

The other big piece in greenhouse gas emission increases in Ontario is from commercial and institutional

buildings. It's of great consequence to this province. As I said earlier today, during the Green Energy Act hearings we heard strong, credible testimony about the fact that the energy efficiency standards that have been put in place for buildings in this province are not enforced. They may be beautiful, they may be some of the most elegant pieces of legislation ever written by humankind, but they are not enforced and thus they are not of any consequence. So we continue to see substantial growth in greenhouse gas emissions from commercial/institutional buildings, and this bill is not going to deal with that.

In fact, it's interesting, when you actually look at where the greenhouse gas emissions are in Ontario, in manufacturing, they have declined since 1990. So you can whack as many of the big manufacturers as you want; they're already below 1990 levels, according to the 2006 numbers for Ontario. Where you have to go is, you have to deal with sprawl, you have to deal with transportation, and you have to deal with the efficiency of buildings. You do have to deal with electricity and heat generation. But again, they are like number 4 on the list, and if in fact we continue to have this electricity surplus in Ontario, the shutting down of the coal plants should be advanced substantially, and then, you're going to have a much smaller piece to cover with a cap-and-trade system.

What we're seeing is this rise in transportation emissions, in fact a 35% increase since 1990 in transportation emissions. As I said, we have seen sprawl, and the Toronto Star referred to a secret deal that was cut this fall with developers in the Bradford West Gwillimbury area that will spawn yet more urban sprawl. In its 2009 budget, the McGuinty government allocated more spending on new and expanded highways than it did on public transit. So you're bringing forward a cap-and-trade bill with one hand, and on the other hand, you're increasing sprawl, which is actually going to elude that bill and continue to change the atmosphere that we depend on.

The McGuinty government has allowed transit fares to rise and let government support for transit operation fall to the lowest level in North America. That's of consequence. If you don't have frequent, comfortable, affordable transit, people aren't going to use it. If you don't have that, people will use cars, and you'll get more air pollution and more climate change. The McGuinty government has accepted a 20-year transit plan for the greater Toronto area that will allow greenhouse gas emissions to rise by as much as 18% over 2006 levels. So I have to ask myself, how are they going to meet those targets that they set for 2014 and 2020 if we continue to see these rising emissions from the transportation sector? That's of consequence. This bill is not going to address that.

Instead of making public transit more affordable, the McGuinty government announced rebates on a \$40,000 electric car that still doesn't exist and which the vast majority of Ontarians won't be able to afford. It's interesting to look at different strategies, because in Michigan the governor, Jennifer Granholm, has actually



been successful in attracting hundreds of millions of dollars of investment in car battery factories to her state. They have actually been going out and seeking those manufacturers and bringing them in. That I think is going to have an awful lot more consequence on the future of car manufacture in North America than this rebate that's been offered by the McGuinty government.

In fact, if McGuinty government was serious, it would say, "Electric cars manufactured in Ontario, first call for Ontario government car fleets in the future. We'll create a market with our own public sector purchasing. We'll go to municipalities and universities and tell them that we want them to be buying electric cars made here in Ontario." That would be the better place to spend that money. What they actually did was good for a photo op, but much less useful in terms of public policy to get electric cars here on road in Ontario.

The government's home retrofit program: The minister talked about 190,000 audits that were done in Ontario. He didn't say that only one in 80 households actually then went and had the work done to reduce their energy consumption. If you set up the system so that people have to take tens of thousands of dollars out of pocket up front, there are very few people who can afford to do that. If you don't break that financing barrier, then we're not going to get the retrofits of the homes we need; we're going to have ongoing dismal numbers of one in 80 who actually do the energy conservation retrofits. So that when the Minister of Energy and Infrastructure launched recent changes to the home retrofit program, he did that in a home in Rosedale. I'm glad that the people in that home actually took the challenge, took the opportunity to retrofit their homes. But that's far more representative of who can actually afford to do this work. The majority of people in Ontario don't live in Rosedale and don't live in houses that are as big as those in Rosedale. They live in relatively small places, and they have relatively small incomes. They need financial support to actually make their homes energy-efficient.

1640

Lower-income tenants facing the whole prospect of sub-metering while they're stuck with the cost of heating their apartments—you, Madam Speaker, have quite a few apartment towers in your riding. You know very well the condition of the windows in those apartment buildings because, like me, you canvass. I've been in buildings in winter where you can feel the wind come through the windows. If tenants are stuck with the cost of heating, those windows will never be fixed, because the landlords will never have any incentive to actually replace them with the kind of triple glazing that's required. If tenants are stuck with the cost of heating, they will never have the money to insulate the outer walls of those buildings to reduce energy consumption. The whole focus of this government is wrong in terms of actually achieving the ends and transforming energy use in this province.

For all those factors, it's hard to have any confidence that this government will meet its targets for 2014 or its targets for 2020. If it wanted to make those targets

happen, it would provide those financing programs, it would provide tax credits for people who want to get on bicycles or e-bikes. If we provided hard-pressed Ontarians with financing programs so they can do renovations to their homes, that would make a difference. Frankly, if we went to the owners of the major apartment buildings in Ontario and said, "We'll make a deal with you. We'll provide the financing to make your buildings extraordinarily energy-efficient, and you protect the tenants from rent increases and being stuck with the energy bills," I think that's a deal that everyone could live with, and it would have tremendous positive benefit for the people of the GTA and the people of this province.

Instead of funding new highways like the 404 extension, which breed urban sprawl and car use, we need to put the money that would go into those new 400-series highways into public transit, in terms of expanding both systems and operations. Running a six-lane highway is not cheap. It doesn't just sit there, it deteriorates. It takes a lot of maintenance work.

Frankly, if we want the money to make a difference, to change the electricity system in Ontario, we shouldn't spend the \$100 billion or so that will be needed to revamp a nuclear-centred electricity system. That whole approach is going to suck money out of Ontario's economy and make it impossible for us to actually finance the changes that will make a difference.

At the end of the day, what do we have? We have a bill before us that enables this government, through regulation, to put in place a system that will cap—set an absolute limit on—the amount of greenhouse pollution that is allowed, and allow possibly trading, possibly auctioning—a variety of options that have not been explained to us here in this Legislature.

We can use a cap-and-trade system in Ontario. I have to say that I prefer the term "cap and auction," because I think that trading is not effective in the way that auctioning is. I think that if we are going to have a system that caps emissions, we should in fact be auctioning off the permits to put greenhouse gases in the atmosphere so that that money can be used for a transformation of our basic technology away from fossil fuels and nuclear, and to help people make the transition in their homes and in their apartment buildings. That's what has to happen to make sure we have a design that's effective and actually makes a difference in this province.

There's the danger with this bill that the interests of developers, of the nuclear industry, are put ahead of the interests of the majority of Ontarians; that they will not be protected and in fact the costs of the bill will be put on their shoulders.

This bill has a lot of unanswered questions, ones that don't seem to spark a response when I raise the questions in this debate.

Exactly when will these caps take effect? As I had said earlier today, when there were first announcements made, we were talking about as early as 2010. Well, that seems to be pushed back. Is there a firm date for this to start? I'd like to have that put in the legislation—"This bill



takes effect on this date"—so that we know what the target is.

What will be the level of reduction in greenhouse gas emissions? That's a central question. That hasn't been answered by the government. It's not in the legislation. It has not been answered in any statements made by the minister or the parliamentary assistant. I haven't seen any fact sheets on that. I haven't seen any detail on that. Frankly, if it reduces the emissions by 1% or 2%, why are we going through all this agony? Tell the people of Ontario, tell the legislators in this House, exactly what we've got coming up.

Will it apply only to big companies or will it apply to medium-sized companies?

Will permits be sold or will they be given away? Giving them away is of great consequence in a world where there is carbon trading going on in Europe. There will be carbon trading going on in the United States. If we give them away, so the permission to pollute can be traded to other jurisdictions for cash and not result in improvements in local air quality by having local companies reduce their emissions, that matters.

We need to see in this legislation where the revenue from that system is going to be applied.

Will companies be allowed to buy offsets if they exceed their cap levels? For those who follow this issue—and I have to say, it is kind of obscure and mind-numbing—the idea is you set a cap on the amount of pollution, and if companies don't think they can operate within that cap, they're allowed to buy what are called "offsets." Someone else reduces the amount of pollution they put in the atmosphere, they get a credit for it, and they can sell it to the company that can't meet its target.

There are problems with offsets. One of the problems, frankly, is that you're going to have to do a lot of quality control. How do I know that the tree that you planted will actually be there five years from now and not be cut down or burned? How do I know that the minor changes that you've made in the operation of your home or of your apartment building are going to be consistent over years to come? Who will monitor that? Who will pay for the quality determination? That's of consequence.

One story that has been told by the author George Monbiot about the purchase of offsets in China alleges that there's a company that makes CFCs, which are very powerful in terms of their greenhouse effect—that it sells to another company that destroys them and gets credits that they can then sell. That kind of playing with the system undermines everything that we want to see happen. For me, the best system is one that doesn't have offsets, that says very clearly within the system that if you can't meet your target, you have to go to someone else who can reduce their burning of fossil fuels so that the amount of fossil fuels burned goes down in real terms, in real numbers. That's critical.

We are going to be affected by what goes on in the United States, without a doubt. I don't think we should have our system dictated by what's brought forward in the United States. The American cap-and-trade bill, the

Waxman-Markey bill, has a few points that are useful. It's comprehensive in scope. It has a solid long-term goal: an 83% reduction in emissions from 2005 levels by 2050. There could be a better goal, but it's a substantial goal, and one that would be at least within the direction that we need to go. However, there are serious weaknesses with that American legislation, and so if we talk about integrating with that American legislation, I want to make sure that we don't get drawn into the weaknesses.

1650

Waxman-Markey distributes too many emission permits for free: 85% of their permits are free at the beginning of their process. I know it is a difficult issue to deal with. It is a difficult issue to come to grips with and sometimes one's attention wanders, but ultimately one can focus in on this. That handout of 85% of permits is equivalent to \$1 billion of giveaways in pollution permits. We can't have anything like that in Ontario. We should not be following that example. It is a mistake. It is a profound error in the direction they have taken.

We do need to support industry in making the transition to green technology. We should be providing them with accelerated capital allowances and tax breaks so they can make the transition rapidly. We should be financially supporting new technologies to make them cheaper and more available very quickly. But we should not be giving away those emission rights. It corrupts that whole system. It puts us in a situation where you're not getting a real drive to a new energy economy, to a new technology base. You're getting simply a replication of what's gone on for a long time.

Waxman-Markey gives free permits to oil and coal companies, and puts a lot of faith in carbon capture and storage. In the 1980s, Bush the elder—my colleague from Beaches—East York sometimes refers to him as the one who's a bit smarter—referred to the economics of Ronald Reagan as voodoo economics, and frankly, carbon capture and storage has many elements of voodoo economics about it. That's an area that we should not be spending our time on. We need to make sure that the federal government doesn't give oil companies a free ride. That's not part of this legislation, but it is part of the political posture that we have to have within Confederation. If you look at the numbers, there are two provinces in Canada that are the number one climate change problems: The first is Alberta and not too much further behind is Ontario. All the rest drop dramatically after those two.

Fifty three per cent of the greenhouse emissions in Canada come from the oil and gas industry—more than half. They are of substantial consequence. Our bill here is not going to change much. We don't produce much oil and gas in Ontario, about 1% of what we use, but to the extent that we substantially reduce our consumption of oil and gas, we reduce the demand for oil and gas in western Canada and help drive down their greenhouse gas emissions.

We need do better in Ontario for those workers and companies that may be affected by the transition. It's a



simple reality in the United States that 1% of the revenue that is generated by selling permits is going to go to the transition. That is not adequate. There needs to be money coming out of this bill to help companies make the transition from being a big polluter to a green energy user. That will save jobs. That will stabilize our economy.

We in the NDP think there needs to be an on-the-job tax training credit to familiarize workers and companies with the kinds of jobs that will be developed in a green economy. It was interesting, there was a recent report by the Telfer School of Management in Ottawa that estimated that if you actually did the renovations to houses across Canada that were needed to substantially reduce their emissions, it would generate one million person-years of work. That is a lot of work. And their calculation was that there were not enough trained construction workers in Canada to actually carry out that scale of work right now.

If we're going to make the changes that have to happen, we have to make the investment in training and education so that people can take advantage of those jobs, so that we can put them to work and so that we can take advantage of the transition. There will be jobs that will be lost and there will be jobs that will be created. We need to move people from one category to the other so that they have a stable future.

The Waxman-Markey bill and the Stephen Harper plan that we've heard the details of so far aim for reductions of about 3% in emissions from 1990 to 2020. That's completely inadequate. I said earlier that Waxman-Markey wasn't bad, or the American cap-and-trade bill isn't bad when you look out of the year 2050, but far more immediately, it's far too weak. We shouldn't be following their example. We have to go much further than that, both for our economic future and for our environmental future.

If we actually are going to have a cap-and-trade system that is of consequence, there are a number of things that need to be put into this legislation. First, it has to start soon; 2012 is too far off. I've heard the minister speak and I've heard the parliamentary assistant speak. They talk about the urgency and scale of the problem before us. It's 2009 right now. They've wasted a lot of time. They should be making sure that this plan is in place as soon as possible. They can pick up lessons from the European Union if they have to. Trading systems have been put in place. Cap systems have been put in place. They don't have to reinvent the wheel; they have to take the best of the systems that are out there and they have to put them in place as quickly as possible. We need more of a sense of urgency that reflects the words of the environment minister about the scale and scope of the problem.

Secondly, the government has to set real caps so that it can achieve those overall reductions that it says it wants to see in 2014 and 2020. All the permits should be auctioned from the very beginning. Polluters should be paying for their emissions. They shouldn't be subsidized in their emissions by taxpayers. There is no reason that

we should be giving away those permits. We need to generate revenue and that revenue needs to flow. The economic transformation needs to help people who are hit by higher energy costs in the years to come and needs to help people who are hit by the whole process of transition from one area of employment to another.

Full auctioning of permits takes out a lot of politicking and takes out a lot of that cost of trading. There will be some trading, but it will be substantially reduced. We need to have that if we're going to have an effective system. The government has to set a strong price signal from the very start. That has to be done in conjunction with the stakeholders. We all have to sit down and set a floor price at the beginning, and then if companies want more permits than that price would permit, they can bid for the rest.

The plan should cover all sectors and it should set the threshold low enough to ensure that small and medium emitters are covered and at least 90% of emissions are captured so that we have a very comprehensive system and we don't have leakage and loopholes.

Caps should cover electricity and they should cover imported electricity so that we aren't in a situation where we're clean within Ontario's borders and importing coal-fired power from somewhere else without having to deal with a penalty. Including all sectors is the fairest and best way to spread the costs over the broadest part of the economy.

Sixth, the plan should strictly limit or avoid altogether offset credits. I talked about that earlier. Offsets are a substantial problem for actually reducing the amount of fossil fuels we use. Offsets will undermine the integrity of any of these plans. If significant levels of offsets are allowed, the price of allowances will drop and the incentive to reduce emissions will be lost. As I've said before, we'll be caught up with very complex rules and complex costs for actually monitoring to see that the offsets are real and of good quality.

1700

Notwithstanding all that I've said, if the government decides that it wants to go ahead with offsets, they should limit them so that they're only a small part of what's available for offsetting carbon emissions and they shouldn't have pre-existing projects or commitments such as the closing of the coal plants. The closing of the coal plants should not be something that results in the unleashing of a large number of credits that this government can sell into the market, because if that happens, then the closing of the plants will be of no consequence. It will allow large volumes of other pollution to go forward. If the government is thinking about doing that it should throw that thought out of its head right now. That would be indefensible.

Finally, this government should be working with the federal government, whoever will be in power within the next three or four months, to make sure that we have high emission tariffs so that jurisdictions that don't actually deal with carbon are not able to siphon industry out of Ontario or Canada because those jurisdictions avoid carbon costs and carbon penalties.



In my opinion, this bill will be—and I'm assuming that everything falls out right, that it actually does become a bill, that there actually is auctioning and there actually are limited or no offsets. Assuming all of that happens, I still think this bill will be a relatively small part of what has to happen to transform Ontario's economy. It is a strategy in a larger package, not the centrepiece, because if it's the centrepiece this province is in trouble—and certainly according to the government's own climate plan, it is not the centerpiece. I think the number is somewhere around 15%. The government's projected reduction in emissions comes from the federal cap-and-trade program. I'm going to guess right now that they see them as interchangeable, the provincial and the federal. This won't be a centrepiece.

We will see soon, possibly—I don't know how soon; they may not pull this forward for committee very quickly—exactly what the government is talking about with this bill. I say to them that if they really want to make a difference, if they want to advance the climate agenda, what they need to do is put in place policies for purchasing by the province of Ontario, all its agencies, all of the bodies that receive substantial funding from it; put in place policies to substantially reduce emissions right there and show the rest of the economy how it's done and what the benefit is from it. We don't have to worry, as the downtown office towers do, of a division between the interests of tenants and owners. It's all ours.

I think it was the member from Haldimand-Norfolk who talked about social housing in this province and using our ownership there to substantially reduce energy consumption in those buildings. We need to do that.

The government needs to purchase those energy services that are clean and renewable. It needs to provide financial support for individual homeowners and individual businesses to make the transition. It needs to recover those supports through lease payments that come from the energy savings that are enjoyed by homeowners and enjoyed by businesses. It needs to put in place regulation and enforcement so that in fact we have far more energy-efficient buildings, motors and elevators; a whole gamut of machinery, equipment and buildings so that we do have dramatic reductions in energy consumption. And with that, you actually have a strategy that can go somewhere.

I could, as others have in this Legislature, continue on and repeat all that I've said in the last 55 minutes, but out of consideration for you, Madam Speaker, and for those in the wider world who are listening, I will leave my comments at that.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments? The member for Ottawa Centre.

**Mr. Yasir Naqvi:** It's great to be back in the Legislature and to participate in the debate.

I'm very happy to stand and speak in support of Bill 185, the cap-and-trade legislation. As did many other members, I'm sure, over the summer months I had the opportunity to speak to a lot of members in my community while I was out there knocking on doors. My

community in particular is quite interested in issues around the environment, so there's a lot of excitement as to the Green Energy Act and its implication and what it means, especially in a dense urban environment like my riding of Ottawa Centre in terms of energy co-operatives, etc. But there was also a lot of conversation and excitement about the cap-and-trade legislation, this particular proposed bill, as to what it means for Ontario in being part of the mechanisms, the schemes that are being developed across North America and hopefully globally.

I think we all recognize that we live in a world now where carbon has to be a commodity, has to have a price associated with it. That's exactly what Bill 185 is trying to do: It's creating the parameters necessary to create a regime that works well with whatever system we come up with, whether it be Canada-wide or across North America. As enabling legislation, it provides for the right set of tools and the flexibility to ensure that we have an effective cap-and-trade system in Ontario so that we can participate in the marketplace where carbon can be traded, so that we can all ensure there is a price associated with carbon. At the end of the day, what we want to do is obviously reduce our reliance on carbon, to make sure that we live in a sustainable fashion, that we can really address the impact of greenhouse gas emissions on our province and our community. So I'm very excited to speak in support of this bill.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Wellington-Halton Hills.

**Mr. Ted Arnott:** I listened with interest to the member for Toronto-Danforth, and I know he has a great deal of knowledge and interest in this particular issue from his background before he was privileged to serve his constituents in the Legislature. In my mind, there's no question that an effective and coordinated response to the challenge, and indeed, as I said earlier today, the emergency, of climate change is in the public interest today.

Years ago in this House, I was one of the first in our caucus to acknowledge publicly that climate change was a fact, that the preponderance of scientific opinion was concluding that human activities and the release of greenhouse gases were contributing factors to climate change, and that these were facts beyond dispute. While I've harboured doubts about the willingness and the practicality, and indeed the ability, of Canada to achieve the targets set by the Kyoto Protocol, I've never opposed further international discussions to set targets for greenhouse gas emissions which are possible and achievable.

Let's remember two things. The provincial government would have us believe today that Bill 185 is a big step forward in addressing climate change. If this is true, why did it take them so long? Why did they not release any climate change strategy until 2007, an election year, and only after they had been strongly criticized by the independent Environmental Commissioner, Gord Miller? And why is it that after six years in office, the McGuinty government, while claiming they support the Kyoto targets, are nowhere near a 6% reduction in greenhouse



gas emissions from 1990 levels, with 2012 less than three years away?

Our critic for the Ministry of the Environment, the member for Haldimand–Norfolk, offered a thoughtful and well-researched critique of Bill 185 this afternoon. He says that to combat climate change, we need to think global and act global. I believe he's right, and without a concerted, comprehensive global response to controlling our greenhouse gas emissions, our efforts are likely to be too little and too late.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Beaches–East York.

**Mr. Michael Prue:** I listened intently for the hour, or nearly an hour, to my colleague from Toronto–Danforth, and I think what he had to say in that hour is not just that climate change is upon us, not just about the need to make changes in our lifestyle to try to save the planet, but he actually gave some clear directions on what this government should be doing. I hope the members opposite were listening, because he outlined—I tried to write down as many as I could as fast as I could. Just some of the things he talked about included that the federal government needs to get out of the tar sands or we need to make sure that what is being developed in the tar sands is not going to pollute any more than it already does. He talked about transitional aid to green-collar jobs and how that was going to be necessary in a cap-and-trade system, and how the economies of this province are going to have to be linked to transitional aid.

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He talked about education and training and the necessity of education and training for the people who live in this province, if we are going to be leaders in the cap-and-trade system. He talked about training tax credits. None of which has yet appeared in the mini, three-page bill. He talked about auctioning and the whole sense of auctioning, and how that is going to have to take place from the beginning, if the bill is to be effective. He talked about energy intensive industries, and how we have to develop those here in Ontario. Lastly, he talked about avoiding offset credits.

Now, these are all very important things that need to be contained within the body of the bill, and it's not just enough in this House to say you want to do everything you can for the environment; it's not just enough to set goals or expectations that cannot be met. The government is going to have to heed his words and is going to have to put in place some of the very programs that he has outlined in order to make it a reality because to do less than that is really not to help the environment at all.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Mississauga–Streetsville.

**Mr. Bob Delaney:** It is a pleasure to join a debate which is very much an informed, dispassionate one, and in these few moments remaining to me, let me add a couple of points of my own to it.

In terms of climate change, one of the first things you can do with regard to carbon is stop generating it, and a great deal of what the bill deals with is turning off coal.

In order to improve our climate, one of the best things we can do for the people of Ontario is to stop using coal to generate electricity, and part of what this bill does is continue the process to eliminate coal by the year 2014.

As well, the other thing we can do is substitute that energy with something that has a much lower environmental footprint, such as renewable energy, and Ontario has gone in the last several years from being a laggard to a leader in renewable energy.

Another thing would be transportation. It was my pleasure in the year 2007 to be a part of the unveiling of MoveOntario 2020, which will see the province spend something like \$11.5 billion on rapid transit. One of things that's going to do is enable more of us to leave our vehicles at home, those vehicles that spew carbon monoxide into the air, and be able to take affordable, convenient, fast, efficient public transit to get around the GTA.

These are some of the initiatives inside this particular bill that help Ontario do something our people really want to do, which is to recognize that the severe weather that we've been having and that we have seen in the last several years comes from climate change. We'd like to return ourselves to a more normal climate, and this bill is part of doing it.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Toronto–Danforth has up to two minutes to respond.

**Mr. Peter Tabuns:** My thanks to the members from Ottawa Centre, Wellington–Halton Hills, Mississauga–Streetsville and Beaches–East York for their commentaries.

Ontario is not an energy leader; Ontario is an energy laggard. Its commitment to nuclear power for 50% of its future electricity generation says that it's stuck in middle of the 20th century and is not taking on what has to happen. We are not moving quickly on our climate plans. You very well know in your riding that the need for rapid transit, if satisfied by electric trains rather than by diesel trains, would substantially reduce emission in that riding and help drive forward the technological, the clean agenda in this province. What we're seeing are the small pieces at the edge, contained boutique items that are not going to deal with the problem that we have.

If you are in a lifeguard station or if you're in a coast guard boat and you see someone drowning, their ship sinking a kilometre out to sea and you go out 100 metres or 200 metres or 300 metres and say, "I've done something," they are still going to drown, and the reality before us is that we are not going the distance that has to be gone to actually save and stabilize our climate and protect our economy, and that's the reality before us today. China is becoming a leader in renewable energy; we are a bit player. In the United States, there are states that are moving forward on renewable energy in a way that we aren't even thinking about in this province.

This is a very depressing and dismal reality that we face in Ontario, one this bill does not look like it's going to correct. We'll see what their details are.



**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Lorenzo Berardinetti:** I'm also happy to have an opportunity to say a few words on this bill. The bill that we're debating today, Bill 185, is actually an amendment to an existing bill. It amends the Environmental Protection Act with regard to greenhouse gases. Greenhouse gases, according to this bill, are made up of six different types of gases. We talk about carbon dioxide as being one of them, but there are also a few other ones here that I think are worth mentioning. I'm just going to read them out loud: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride. These are all different types of greenhouses gases that are affecting our environment today.

Sometimes, when we watch television, or we see something on the news, we wonder why that thing happens. Just last weekend, there was a story all over the news about two German ships that crossed the Northwest Passage here in Canada. I remember the Northwest Passage as being a frozen part of Canada that was almost impassable and that, for many centuries, was almost impossible to cover until recently. But the news headline was that two German ships were able to breeze through the Northwest Passage, I think on their way to Asia, which saved them from having to go, I guess, south down through the Panama Canal.

You may hear that story and say, "Big deal," but it is a big deal, in the sense that suddenly this ice, which was impassable, has now become water, which is passable. Someone can navigate through that, and these ships were able to do that without any problem.

The other day on television they were showing a documentary. It was about polar bears and the fact that polar bears now are finding it increasingly difficult to find food to eat. And why is that? The polar ice cap in the North Pole is beginning to melt, and the more it melts, the more you end up with small areas of ice where the polar bears are limited in their hunting, and they either end up stuck on that ice, drowning or not surviving beyond that generation. We're seeing the same with the walrus population in the north as well.

We also hear about icebergs that are being located or found significantly south of previous locations, and we wonder why. Why is an iceberg being located off the coast of Newfoundland or even further south of that? The reason is, the ice is melting.

So the option to not do anything is not really an option, and I think we as a governing body are going to have to do something about it. We can sit here and point our fingers all day today at China or at India or at other countries, but in the end, it comes down to what we can do here in Ontario. The Premier has taken the lead by bringing forward a bill that's trying to limit the amount of emissions of those six gases that I mentioned earlier so that they don't heat up the atmosphere and cause the ice to melt. It's plain and simple. We want to protect the climate, and at the same time, besides protecting the climate, the other side effect with this bill is that we

create new technologies, better ways of doing things in our province and hopefully around the world that don't cause these gases to be created.

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The latest data come from 2007. The total emissions in Ontario of these types of greenhouse gases was 197 megatonnes, the largest one being transportation, 31%; industry at 25%; buildings at 17%; electricity, 17%; agriculture, 6%; and waste at 4%. We're trying, as a government, to reduce that 197 megatonnes of greenhouse gas produced by those different areas. The best way to do it, in my view, is the way that the Premier has suggested—and the way that he has unveiled in this bill, which is a carbon cap-and-trade plan, carbon being the lead greenhouse gas out of those six that I mentioned. What this bill basically does, very simply, and I'm just going to give an example—because the good thing about speaking on a bill is that you get to research the bill before you speak to it, hopefully, and you learn a little bit about it so that you can then explain it to your constituents as well as to others who may want to know about it.

If my name is John, and if I own a factory and let's say I produce 12 megatonnes of greenhouse gases a year and I know or hear of someone else named Mary who produces eight megatonnes a year—I produce 12 and my name is John, and Mary produces eight. All this bill is saying, in simple words—part of the bill, anyway; that's not the only thing it's saying—the main thing it's saying is that John can go to Mary and say, "Look, the limit was set at 10 megatonnes. I'm over my limit by two, so can I buy two credits from you? You're at eight; you're below the standard of 10." There's a trade that occurs; there's a purchase that goes on there, the idea being that eventually John will get tired of having to buy from Mary those credits, and John will eventually change his plant and make it efficient and maybe bring it from a 12 down to an eight by using new, greener or green-friendly technologies. Then if that happens, another person or another company, Jerry's company, comes along, and Jerry is creating 14 megatonnes of emissions every year. Again, he's capped at 10. So what does he do? He now goes to John and he goes to Mary and he purchases two credits from each of them so that instead of 14, he's down to 10. I know the pages present here today can understand the math—it's pretty straightforward. You go from 14, you take two from John, you take two from Mary, and 14 minus two and minus two brings you down to 10, which brings you to that range.

The idea is that this will entice other companies to do the same thing so that eventually both—and not just John or not just Jerry—but other companies out there will want to reduce their greenhouse emissions so that they don't have to go and buy these credits from other places. By doing so, they create green technology, they put less of these six different types of gases or—I don't know if you can call them gases—substances into the air, and you create new jobs by doing so. So it's a win-win-win situation. It's not going to happen overnight; no really



good change ever does. We just need to look at the European model. I had an opportunity to look at what Europe does. They have the largest cap-and-trade program in the world. They started in 2005. We're in 2009—it's working, but they're still tweaking it and changing it and trying to administer it in a way that is effective and centralized through the European government as opposed to each government within there doing it on their own.

Our Premier, back in June, went and met with Premier Jean Charest and said, "Why don't we get together, Quebec and Ontario, and create a market, an area, so that if—again using the example of John and Mary—if John is located in Ontario and Mary is located in Quebec, there can be a trade there?"

Beyond that, recently the government has also—and the minister made mention of this—started to have discussions with a group of West Coast provinces and states, including California, I think Arizona, British Columbia, and several other states that are already grouped together so that they become part of this market. Because the larger the market, the easier it is to make these trades; the easier it is for the different companies to find someone who will buy or sell those various credits that are available out there.

The long-term goal: Of course we don't want the trades just to keep on happening, but we want to entice people, without shutting down plants, to become green-friendly as opposed to not friendly towards the green environment. So it's a subtle yet strong way to send industry, business and the way we do business into a green economy without killing these different businesses, because nobody wants to see plants shut down and nobody wants to see people unemployed. This is a gradual way to do it. It works.

The other thing that's really interesting about this bill that I want to speak about, very briefly, is the idea of offsets. I mentioned carbon dioxide, but one of the other problems is methane. Methane is also released into the atmosphere and it causes the same thing, basically, which is the heating up of the planet. If there is a landfill site out there and that landfill site says, "You know what? We're going to clean up our methane and prevent the methane from going out there," they'll be able to have what's called an offset, and they can sell that offset or trade it with one of these other companies and be able to take part in this whole attempt to try to clean up our economy. So it's good for an existing place like a landfill site to get involved in this trading or in this restructuring of pollution in general.

Even people who decide to take, let's say, a large piece of land and plant trees, because trees, we all know—and the pages will learn soon probably, if they haven't already through their biology class—take in carbon dioxide and put out oxygen, and oxygen is good for our atmosphere. If someone decides to grow a large field and put trees out there that will stay in the ground, they too can apply for an offset and be able to sell. There's an incentive there now, because they can sell that credit to someone who is over their limit.

And as we bring these limits down—because that was the problem, I guess. Someone mentioned it earlier. I think the Minister of the Environment mentioned it, that in Europe the limits were very high and it wasn't working. But as you bring the limits down—let's say, in the example of John and Mary and Jerry there, there's no longer 10. Let's say it's nine; we bring it down to nine.

*Interjection.*

**Mr. Lorenzo Berardinetti:** John, I mentioned John already.

So if we bring it down to nine, then all these three companies will have to work to bring themselves down to nine or will have to purchase from either an offset or from someone else who's efficient and below nine. The idea is to gradually bring that level down further and further.

So it's not a difficult thing to understand, and the ultimate goals are simple: We want to make sure the polar bear survives. We want to make sure that the other animals in our ecosystem survive. And ultimately, we want to make sure that the planet itself survives, because almost every day in the news we hear about an ice shelf or a piece of the North Pole or the South Pole, to put it in simple language, that is melting. We want that to stop. And if we can work together with Quebec, hopefully with the western provinces, eventually, perhaps, hopefully with all of North America and perhaps all the world in doing this, then we will reduce the greenhouse gases. Because if we don't, eventually we're going to see the North Pole melt. We're going to see the South Pole melt. Water levels will rise. The entire ecosystem on the planet will change and we'll no longer be here as human beings.

So when we look at it, I know that there are other complexities to it. I'm not perhaps as well versed as some of the other people are who have studied this. I look at the bill and I look at the simple, straightforward goals of the bill, and I think they're goals that are well-intentioned, that are well worth doing and make a lot of sense.

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So I stand here today supportive of Premier McGuinty and supportive of our government, because it is the right thing to do. The details can be worked out. The bill says here that something can be done through regulation, and that will be worked out in the future, but just to put everything out today exactly as to how we're going to do it won't really work. In Europe, they tried doing that, and as they went through 2005, 2006, 2007, they had to make changes. The Americans are struggling with a system right now, and Obama has brought something out. He has to be careful because again, he doesn't want to lose jobs and have places close down.

This program in this bill is quite similar to something that was successful years ago in the United States where they were able to reduce acid levels caused through acid rain. Again, it's straightforward. The goal is to reduce greenhouse emissions and create new technologies by pushing or nudging those different industries—and it's not just industry in itself. It's also transportation. A



previous speaker spoke about buildings. It's our electrical sector, agriculture, and even a small portion of it is through the waste sector. But in total, it adds up to a lot—197 megatons of emissions. We want to reduce that. The right way to do it is through this system here, providing for caps and providing for trades of those credits.

I'm supportive of it. It's straightforward. It's not difficult to understand. I hope that the opposition will also support this bill when it comes down for its final reading. I know that we always, at committee, discuss making some changes, but as a whole the bill is extremely supportable. I applaud the Premier for bringing this forward and for working with Premier Jean Charest and others to try to expand the scope of this bill into other jurisdictions.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Ted Arnott:** I was pleased to have the opportunity to hear the presentation from the member for Scarborough Southwest. I've received an e-mail from one of my constituents. I haven't really had a chance to talk to them to see if they would want their name attributed to the comments, but I would like to read the text of the e-mail to the member and the House:

"Dear Mr. Arnott:

"The cap-and-trade (tax) must not be implemented in Ontario. This tax will only affect the companies and consumers that can least afford to pay. Those who can afford the costs will continue to use the same or more energy, thus raising CO<sub>2</sub> and not lowering it. If we look at Europe as an example of how this tax will work, we see that lobbyists have completely rendered the intent of the tax ineffectual, resulting in little or no reduction in CO<sub>2</sub>.

"Please tell me where were the people, the voters of this province which this government is supposed to answer to—on this tax, they were not asked. Is this government for the people or the new world order elite? I think I know that answer. The tax is going to be the world's largest new stock market, trading exclusively in a stock called carbon credits, where the mega profits will be made by speculators, hedge funds, and the same financial and investment houses that just finished crashing the global economy."

This comes from one of my constituents who lives in Georgetown, and I would ask the member for Scarborough Southwest to respond to him as a government member.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Beaches—East York.

**Mr. Michael Prue:** I listened to my friend my colleague from Scarborough Southwest. I was listening to hear exactly what the government intends to do with this bill, and it is quite clear from the way he spoke—and I hope he does not take umbrage—that he supports the goal of the bill. The goals are to recognize that there is a problem out there and to attempt, over time, to do something about it.

He went on to say that the details have to be worked out—his exact words—"worked out later" or "worked

out in the future." But I would suggest that is not what we should be debating here today. We have had six years since the Liberals came into power, six years of talking about taking an environmental stance and doing something. I will acknowledge that the Liberals so grudgingly and so slowly are moving away from coal-fired generation, but I will also say that they are continuing down the wrong path with nuclear, they are continuing down the wrong path with gas-fired generation, they are continuing at a snail's pace to go out there and to look for renewable energy.

I just wonder why we always end up just talking about goals in the future. We talked about goals when it came to the developmentally delayed, Ontarians with disabilities, about trying to help people set their own lifestyles and hire their own people, and yet there was never any money or any attempt to do that. We talked about that but nothing ever happened. We talked about reducing poverty. We talked until we were blue in the face but nothing ever happened because all we do in this place, it seems—and this government—is set goals that are never met.

I think we need to start talking about real things. We need to start talking about offset credits, energy-intensive industries, auctioneering. This is what I want to hear from government members, and this is what I'm hoping they'll talk about in the future.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Oak Ridges—Markham.

**Ms. Helena Jaczek:** Again, it's a pleasure to rise in support of Bill 185, one of the building blocks of our battle against climate change and our efforts to reduce greenhouse gasses.

My colleague from Scarborough Southwest alluded to pursuing green technology, and so I'd like to remind the members of this House just what our government has actually done in this regard.

First of all, we've provided support for transitions such as the emerging technologies fund, \$250 million over five years for a new emerging technologies fund focusing on clean technologies, health and life sciences, and information and communication technologies, including digital media; the innovation demonstration fund, \$50-million replenishment over four years for the government to partner with innovative companies to develop emerging technologies with a preference towards bio-based environmental and alternative energy technologies.

In addition, we have the Ontario Research Fund, \$730 million over four years commencing, as it did, in 2005, to support research that can be developed into innovative goods and services that will boost Ontario's economy. We have established Ontario Centres of Excellence, and this is a program focused on meeting the competitive needs of Ontario industry by tapping into the remarkable potential for Ontario colleges, universities and hospitals to act as generators of innovation. And that's not all.

The Next Generation of Jobs Fund, the jobs and investment program: \$25 million of the total \$1.15 billion Next Generation of Jobs Fund over four years will help



companies in a wide range of sectors to expand in Ontario and develop innovative products for global markets. All of this to help research in environmental technology.

**The Acting Speaker (Ms. Cheri DiNovo): Speaker of the House:** The member from Haldimand–Norfolk.

**Mr. Toby Barrett:** The member from Scarborough Southwest made mention of what Obama is doing, and I guess the House of Representatives is right in the middle of it now. That bill passed June 26. It's now before the Senate. The House passage was difficult, of course; all the Republicans voted against it and 49 Democrats voted against Obama, and they're predicting it's going to be an even rougher ride in the Senate to get it through than the House of Representatives. As I understand, there were a number of concessions brought forward.

As far as amendments to this legislation, I'm not sure—again, at a page and a half, I don't know whether there's very much we can do with this as far as amendments. But certainly in the debate south of the border leading up to that vote on June 26, they reduced the targets for emissions with respect to gases to get votes of Democrats. They scaled back the mandate for renewable electricity, again, to try and get some Democrats to vote for it, and this is a good thing. Incentives for industry were sweetened considerably.

As far as the upcoming or the ongoing debate now in the Senate, there is a provision to prevent costs from rising too quickly in any one year. They've earmarked billions of dollars for new energy products, subsidies for low-carbon agricultural practices, and of course, ongoing research into clean coal—which is one of Obama's projects—and in addition, financial assistance for electrical vehicles.

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**The Acting Speaker (Ms. Cheri DiNovo):** The member from Scarborough Southwest has up to two minutes to respond.

**Mr. Lorenzo Berardinetti:** I wish I had more time. I appreciate the comments from the various members. Just with regard to the member from Wellington–Halton Hills and his e-mail, I know that his constituent is concerned, and I'm sure that constituent will have an opportunity, when this goes to committee, to speak to committee and bring forward those concerns there. I also want to thank the members from Beaches–East York, Oak Ridges–Markham and Haldimand–Norfolk.

What I want to say is that the bill makes it very clear. No doubt about it, there is a section here that reads: "The Lieutenant Governor in Council may make regulations establishing programs and other measures for the use of economic and financial instruments and market-based approaches, including without being limited to emissions trading, for the purposes of maintaining or improving existing environmental standards, protecting the environment and achieving environmental quality goals in a cost effective manner." You can't be any more straightforward than that. The bill says right here—it's an amendment that says that the government can move towards allowing these types of measures to take place.

When I talk about details, it's more that—I know that these things go to committee and then come back here for third and final reading. We have in the past—and I know that this has happened in our government at least; I don't know if it happened so much when the Conservatives were in power—accepted amendments on various bills that have gone to committee. All I was saying was that if there are some ideas out there that potentially could be incorporated in this bill—I don't have the final say. I don't know which committee it's going to. But ultimately this thrust brought forward by the section I just read is the key. The government is going to take action to reduce the amount of greenhouse gases and to improve the quality of life of Ontarians and, hopefully, all the people who live on this planet.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. John Yakabuski:** It's a pleasure to join the debate on Bill 185, and a rather thin bill it is. Not a lot of paper here.

It could be that the government didn't want to have too many details in this bill, or quite frankly it's possible that they used up all of their paper credits—not carbon credits, but paper credits—with the expense chits that were used at the OLG and eHealth and over at MPAC in the last year and they just didn't have enough paper left in this Legislature to write bills. We certainly know there has been a heck of a lot of that expensing going on at those government agencies. And what did the Premier have to say today? He just wants to stuff it all under the carpet, just like he told those people on the committee to vote against bringing those people before committee—just terrible.

Then we are debating a serious issue here like carbon credits, when they don't even want to allow this Legislature to review what should be brought before this Legislature, and that's what has gone on at OLG and eHealth here in the last couple of—well, ever since this government's been in power, quite frankly.

I want to respond a little bit to the member from Scarborough Southwest. He was painting a very lovely picture of a perfect world where everything works just the way it should if everybody behaves and everybody does what's expected. We know we don't live in that world. He also was thinking of an equitable world where everybody is treated the same. It doesn't work that way.

Let's talk about a few of those realities. He's talking about trading these carbon credits. Well, the European experience teaches us that they're just trading them. Those that can afford to buy the credits are using those credits to produce the same amount of carbon or more carbon than they did before, by buying those credits from companies that don't produce the carbon. It hasn't resulted in a reduction of carbon emissions in those jurisdictions. So is that what we're asking here, that we're going to do the same kind of thing?

They're losing some of the big picture here as well. We have to keep in mind—and he wants this—we're going to change the world here in Ontario with carbon



emissions, based on the speech of the member from Scarborough Southwest: This is where it all starts. This will be the story about how Ontario changed the world.

In Ontario, we produce less than 1% of the world's CO<sub>2</sub> emissions. If you put that into perspective, if we stop producing carbon totally, right now, this minute—the end of carbon production in Ontario, over—China will replace that within six months. That's how fast that country is growing—its population, its economy, and its carbon emissions—because they're building their economy on carbon emissions.

I know the member from Toronto Danforth talked about how China is one of the world leaders in renewable energy. If we want to talk about a megawatt basis, he's correct, but there's no place in the world where there's greater growth in the demand for power and electricity than China. We've had a recession in the last year, the Americans had a recession in last year, Europe's had a recession in the last year, but there's been no recession in China. Did their economy stop growing at the rate that it did before? Yes, but there's been no recession. The economy continues to grow in China, and this year it's expected to grow at over 10%. Would we be happy with 10% in this province? My God, Dalton McGuinty wouldn't be worrying about eHealth. He would have had all those records electronically taken care of because we'd have the money. But what we've been doing here is killing jobs by closing manufacturing plants because of the tax policies of this government and the energy policies of this government, which are making us less and less competitive. If you want to compete on the world market, you've got to be able to produce goods at a price at which you can sell. If you produce quality goods but you can't sell them, you'll have very full warehouses but very empty bank accounts. That's what we've been forced to do in Ontario under this government.

So here's what they want to do: They want to have a cap-and-trade program in Ontario, but if the world is not going to work with you, and in all the latest climate change negotiations, China and India have been exempt from any limits—

*Interjection.*

**Mr. John Yakabuski:** One per cent, Madeleine, remember that: 1% in this province. If we shut them down today, we're not going to make any difference. If you're going to save this world, you'd better start thinking globally as well, and you'd better start thinking about what's going on in India and China.

So here we are; we're going to exempt the Chinese and Indian economies from any limits with regard to carbon emissions under any climate negotiations. That's like saying, "Well, I've had a few impaired charges, so everybody else is allowed to have a few more until they catch up. We know it's a bad thing, we know we shouldn't be doing that, but you're allowed to catch up." So we'll let those economies catch up to our carbon emissions or the Americans' carbon emissions, and that's saving the world? That's reducing global warming?

The world gets about 45% of its energy from coal. That number will be over 50% by 2015. It's growing

every day because, as Mr. Tabuns from Toronto—Danforth was talking about, while China is a leader in renewable energy—that's right, on a megawatt basis—it is the leader in building coal power. A new coal plant is going up in China at the rate of about two coal plants every three weeks. That's how fast they're building coal power in China.

This is about politics and this is about appealing to the segment of the population here who buys the story that if we cut our carbon emissions and cut our jobs, somehow we're going to change the direction that the world is going. We will cut our carbon emissions, but we won't change the direction the world is going, because until you exact the same requirements of those economies, you're not going to change that. So all of a sudden now we're going to say that we're going to have all kinds of limits here, but those economies—the ones, incidentally, that are our biggest competition when it comes to supplying the world with products, not only our competition but the Americans' competition as well. So they figured that if we'd just take it all upon ourselves, everything was going to be right.

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The member from Brant guffaws, but he was down in Kansas City as well. The amount of investment, billions and billions of dollars being invested in the United States in the science of carbon sequestration and carbon capture, pipelining carbon into oilfields and gas fields so that it will assist in the exploration and the extraction of those resources, at the same time capturing the carbon so that it is not emitted into our atmosphere—will it be expensive? Yes, it will. It will be expensive, but the Americans will do it, because the United States has 26% of the world's known coal reserves. They're all underground in the continental United States. That country has realized the folly of being dependent on foreign sources of energy. They've come to the conclusion that they need to be more self-reliant when it comes to energy.

One of the things they are going to do is to extract the energy from the coal that they have. They're going to ensure that they get that energy out of that coal; otherwise, they will be getting oil from the Middle East and eventually natural gas from the Middle East or Russia, because the natural gas reserves of the Middle East and Russia are much greater than those of North America. North America only has about 5% of the world's natural gas, whereas Russia and the Middle East have about 70%. That's where the resources are when it comes to those particular resources. Eventually, they will have the bulk of that market. But the Americans are going to want to ensure that they can get as much as possible of their future energy from sources that they actually control, because they've realized that having to depend on sources from another jurisdiction is iffy at best, particularly in the uncertain world that we live in.

But let's get back to the whole principle of this trading. If you're just taking carbon credits and saying, "I need some, I buy some," does that reduce the amount of carbon that you're emitting? I know the member from



Scarborough Southwest says, “Well, eventually it might encourage it.” Only if you’re going to be unprofitable doing so. If you can do it and be profitable, then there’s no incentive for you to reduce the actual amount of carbon that you produce. Business has one responsibility to its shareholders, and that’s to be profitable. If a business is profitable, shareholders will like it. If a business can produce goods, or whatever they happen to produce, and, through a carbon-trading mechanism, still is able to do that profitably, then there’s not likely to be much of an incentive for them to reduce that carbon output.

The member spoke about what we can do here. There’s no question; no one disagrees that we should all be doing what we can to reduce our footprint wherever we are. But to do it alone is suicidal, economic suicide. The Americans understand that and the Canadian government understands that. They’re reluctant to sign on to international treaties that don’t include those who we know will be the biggest carbon producers over the next 20 years, and that is the emerging economies and the growing economies of China and India. We have to ensure that everybody’s playing on an equal field here.

My colleague from Haldimand–Norfolk had a very interesting and informed speech earlier today on this issue as to why this government has to be questioned as to what the intent of this legislation is at this time. Of course, the legislation, as I said earlier—I have the bill here somewhere—is very vague. It gives the Lieutenant Governor in Council some rights. It does make some amendments to previous pieces of legislation, but it does give the Lieutenant Governor in Council some rights with which to enact regulations.

We’re always at a disadvantage here in this Legislature when a bill comes before us, and you know as a member yourself that there are many times where we would like to have the opportunity to actually see what the government is talking about, to see the regulations that they intend to bring forward here. In this piece of legislation—

*Interjection.*

**Mr. John Yakabuski:** —but you don’t see that here. All you see is a big framework with respect to what they may or may not do.

Just for some historical correctness here—because it’s difficult to get it from the other side sometimes. You see, they only tell us what they’re told to do out of the Premier’s office, whereas here we have the freedom to express the reality of life in Ontario. But they’re talking about the Premier’s promise, when he was in opposition, about shutting down. We’ve gone so far down that road. They’ve pretty well shut them down now because of the fact that they’ve wrecked our manufacturing economy.

I believe it was on August 2, 2006, that we hit an all-time-high record demand for power in this province: 27,005 megawatts. I think it was about 4 o’clock on that August afternoon. Earlier this year—it was some Saturday in June. I don’t remember. I should have written down the date. But I was looking at the ISO website, and the Ontario demand at that time was under 11,000 megawatts. Now, if somebody would have said to you in

2006 that this province, which had hit a high of 27,005 megawatts, would have a time in 2009 during the summer months—it could have been late spring, but I believe it was after June 21—at some point in that day when the Ontario demand would be less than 11,000 megawatts, I know you would have said that they were probably short some of their faculties, and I would have agreed with you. Even if you would have said it about me, as sometimes I’m sure you do—or think, anyway—I wouldn’t have disagreed with you at all. But that’s what has happened in this economy as a result of what they have done. So they’re talking now about this coal shutdown and accelerating it, and good for them, but it’s hardly a great feat of governance when you’ve taken away the need for something as opposed to eliminating it because of your care for the environment.

Back in 2002, when Dalton McGuinty was waxing on about why we have to shut down coal plants by 2007, he didn’t seem to know what CO<sub>2</sub> was. Carbon trading was probably something when you took your pencils back to Wal-Mart for a refund, you know? You took your lead pencils back or something; I don’t know. But he never, ever used the phrase “CO<sub>2</sub>.” He talked about nitrous oxide and sulphur dioxide and particulates. He talked about pollution, he talked about smog and he talked about the health effects of the emissions from coal plants and the effect that they were having on people in Ontario—not because of CO<sub>2</sub>, because CO<sub>2</sub> is not a pollutant; it’s a warming gas. But he never, ever talked about CO<sub>2</sub> when he made his promise to shut down coal plants.

All of a sudden, CO<sub>2</sub> became the driving force behind their coal issue, not particulates, not sulphur dioxide and nitrous oxide. Because quite frankly, we suggested at that time that we put scrubbers onto our coal-burning stacks, which would have eliminated—we have scrubbers and catalytic converters on two stacks at Lambton and scrubbers on two stacks at Nanticoke. The dual purpose removes almost all of the NO<sub>x</sub> and SO<sub>x</sub> on those burners, but they never put in a single piece of emission abatement equipment on any of our coal plants in all the time that they were in government. They refused to do it, and all of a sudden, then their mantra shifted away from particulates and polluting emissions to CO<sub>2</sub>, so now all the talk is about CO<sub>2</sub>.

I just want to, for the record, remind you that when that promise was first made, they never talked about CO<sub>2</sub>. My good friend from Wellington–Halton Hills, who was a member at that time—I was not—will remember that they never raised that in any of their talks at all. CO<sub>2</sub> was never discussed. It was all about pollutants. Am I not correct, my good friend from Wellington–Halton Hills?

**Mr. Ted Arnott:** That’s my recollection. Dalton was the energy critic from 1990—

**Mr. John Yakabuski:** That’s right, he was the energy critic at that time.

So many times the driving force behind this government and its policies is politics. We know what the world out there is like right now. We realize that, and we don’t

disagree that we have to be doing things to make our environment cleaner. But they've put this stuff out with little or no thought to some of the consequences because they believe it will be a politically popular message. That's not leadership. That's politics.

We need less politics in this Legislature and a lot more leadership. If we had leadership in this Legislature and less politics, our manufacturing sector wouldn't be in the shape that it's in today. We would be bringing forth quality pieces of legislation, unlike what this government has brought in over the last couple of years.

I'm getting the signal from the Speaker. Unfortunately the clock, as it always does when I'm speaking,

accelerates. There's a conspiracy, I know. They speed up the clock whenever I'm speaking. I don't know if it is done from that side, or maybe it's from above, but I'm absolutely convinced that when I'm speaking, that clock runs quicker. I realize we are out of time, and I thank you for listening to me this afternoon.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Ms. Cheri DiNovo):** It being 6 o'clock, I declare that this House stands adjourned until tomorrow morning at 9 o'clock.

*The House adjourned at 1801.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Samia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Attorney General / Procureur général
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
Broten, Laurel C. (LIB)	Etobicoke–Lakeshore	
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
<b>Cansfield, Hon. / L'hon. Donna H. (LIB)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
<b>Crozier, Bruce (LIB)</b>	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
<b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Flynn, Kevin Daniel (LIB)	Oakville	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>Fonseca, Hon. / L'hon. Peter (LIB)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	
McNeely, Phil (LIB)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
O'Toole, John (PC)	Durham	
Orazietti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth–Wellington	Minister of Revenue / Ministre du Revenu
<b>Wilson, Jim (PC)</b>	Simcoe–Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakubski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	
Vacant	St. Paul's	

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Garfield Dunlop, Kevin Daniel Flynn  
Tim Hudak, Amrit Mangat  
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Wayne Arthurs, Toby Barrett  
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Leeanna Pendergast, Michael Prue  
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Linda Jeffrey, Kuldip Kular  
Rosario Marchese, Bill Mauro  
Carol Mitchell, David Orazietti  
Joyce Savoline  
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Rick Johnson, Lisa MacLeod  
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Liz Sandals  
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Vice-Chair / Vice-président: Kevin Daniel Flynn  
Laura Albanese, Bas Balkissoon  
Bob Delaney, Joe Dickson  
Kevin Daniel Flynn, Sylvia Jones  
Norm Miller, Mario Sergio  
Peter Tabuns  
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent des comptes publics**

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Laura Albanese, France Gélinas  
Ernie Hardeman, Phil McNeely  
Jerry J. Ouellette, Liz Sandals  
Norman W. Sterling, Maria Van Bommel  
David Zimmer  
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**Standing Committee on Regulations and Private Bills / Comité permanent des règlements et des projets de loi d'intérêt privé**

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Vice-Chair / Vice-président: Paul Miller  
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Rick Johnson, Gerry Martiniuk  
Paul Miller, Bill Murdoch  
Michael Prue, Tony Ruprecht  
Mario Sergio  
Clerks / Greffiers: Trevor Day (pro tem.), Sylwia Przewdziecki

**Standing Committee on Social Policy / Comité permanent de la politique sociale**

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Vice-Chair / Vice-président: Vic Dhillon  
Laurel C. Broten, Kim Craiton  
Vic Dhillon, Cheri DiNovo  
Helena Jaczek, Shafiq Qaadi  
Khalil Ramal, Peter Shurman  
Elizabeth Witmer  
Committee Clerk / Greffier: Katch Koch

**Select Committee on Mental Health and Addictions / Comité spécial de la santé mentale et des dépendances**

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Vice-Chair / Vice-présidente: Christine Elliott  
Bas Balkissoon, Christine Elliott  
Kevin Daniel Flynn, France Gélinas  
Helena Jaczek, Sylvia Jones  
Jeff Leal, Liz Sandals  
Maria Van Bommel  
Committee Clerk / Greffière: Susan Sourial











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No. 161

N° 161

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 39<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**



**Tuesday 15 September 2009**

**Mardi 15 septembre 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 15 September 2009

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 15 septembre 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by a Baha'i prayer.

*Prayers.*

## ORDERS OF THE DAY

### ENVIRONMENTAL PROTECTION AMENDMENT ACT (GREENHOUSE GAS EMISSIONS TRADING), 2009

### LOI DE 2009 MODIFIANT LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT (ÉCHANGE DE DROITS D'ÉMISSION DE GAZ À EFFET DE SERRE)

Resuming the debate adjourned on September 14, 2009, on the motion for second reading of Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches / Projet de loi 185, Loi modifiant la Loi sur la protection de l'environnement en ce qui concerne l'échange de droits d'émission de gaz à effet de serre ainsi que d'autres instruments économiques et financiers et approches axées sur le marché.

**The Speaker (Hon. Steve Peters):** Further debate? The member from Durham.

**Mr. John O'Toole:** I just remind members that the member from Renfrew-Nipissing-Pembroke was speaking, and I believe he is expressing quite accurately the views of our side—

**Mr. Mike Colle:** On a point of order, Mr. Speaker—

**The Speaker (Hon. Steve Peters):** My apologies on the rotation; the member from Renfrew-Nipissing-Pembroke was the last speaker. The rotation moves to the NDP. The member from Parkdale-High Park.

**Ms. Cheri DiNovo:** Thank you, Mr. Speaker. I was wondering there for a moment.

It is a pleasure to rise for the first time and to welcome everyone back from what might have been for some a summer vacation and what for many was working all summer. Welcome back to the chamber, at any rate.

This bill—I wish I could say it is a pleasure to talk about it. It's really not a pleasure to talk about it because there is not much of it. This bill is about a page and a half in length if you take away the preamble and the translation etc. Simply put, what the bill says is, "We don't

like greenhouse gas emissions." It's what I would call a primary prototypical example of greenwashing. This is a bill designed to send a little love letter out to the environmental community saying, "We like you." That's it. "We like you; we're not going to do anything, but we like you." "Don't you like us?" really is the inherent question there; "Won't you vote for us?"

The sad reality is that this is a state of crisis right now in the world. Right now in the world, we're looking at an environment that is going down, and going down quickly. It's interesting, because I remember as a teenager, what got me politically active in the very first place was the environment—way, way, way back then. I remember seeing a documentary, I think on CBC, about pollution. We didn't talk about greenhouse gas emissions back then, but it was simply pollution: the fact that species were becoming extinct, that humans were encroaching on green space, that by and large we were making our biosphere uninhabitable, and certainly we're rendering the globe uninhabitable for our grandchildren. I remember watching that documentary and thinking, I've got to do something about this. I was a teenager. I remember thinking, and many of my generation thought, should we have children? Should we even have children? Will the world last? Of course, we were also under the threat of the bomb back then—more about the nuclear issue later.

But, you know, certainly it was a call to action. And for me, as a teenager, I looked at the economic system in which we were embroiled, called capitalism, and I thought there's no way that this system, unchecked, will get us to the point we need to get to, that is, to an environmentally sustainable globe. Because it is inherent in capitalism and capitalist companies to grow—that's what they need to do. I was in business; I know this. You have to grow or you have to produce a profit. You have to churn out more consumables year to year to year. And so the world has gone. In the intervening decades, that's what's happening, and guess what? In the intervening decades, the world, in terms of the environment, has become less and less and less inhabitable.

So now, all of a sudden, it's hip to be an environmentalist. Now, all of a sudden, it's mainstream to be an environmentalist. But really when you look at what has actually been accomplished over those decades, one has to shake one's head and say, "Very, very little."

Where does the blame lie? Does the blame lie with those who have been denying that there has been a crisis? That's the right wing. The right wing just simply denies there's a crisis: "We'll do nothing; we don't need to do anything." That's not where the answer lies.



But does the answer really lie with the centre—let's call it the dead centre—the dead centre that says, "We'll make sounds as if we're doing something, but we won't do anything either. We'll just make sounds as if we are." That's what this bill is. It sounds as if something's going to happen, but we know nothing is, because, in fact, in measurable terms, the situation in Ontario is getting worse.

We know that greenhouse gas emissions under McGuinty's reign have increased. They have not decreased; they have increased. So all the talk and all the nibbling around the edges of actual action, doing something, has led to this point. Greenhouse gas emissions are getting worse, urban sprawl is still occurring, and the McGuinty government is investing more in roads than they are in transportation. These are all provable facts. So again, we see in the last six years the increasing momentum of climate change both here and in the world.

Now, I listened with great interest to the member from Renfrew–Nipissing–Pembroke last night, who suggested that no matter what we do in Ontario, it will make about a 1% difference, so we shouldn't really concern ourselves with this issue because, hey, it's all about China and India, and until China and India come onboard, there's not much we can do. To be frank, I can't take that position either. That's ridiculous. That sounds like and reminds me of Nixon. Remember the mutually assured destruction, going back a few years: "We have to arm ourselves because they're arming themselves"? This leads to an arms race. But we're in a pollution race right now, and somebody has to start stopping. Somebody has to start stopping greenhouse gas emissions, even if it's only 1%, even if it's only in Ontario. We have to do our bit, because if we don't, it's not going to help, and it's going to hurt, whether it's 1% or 10%.

And, yes, of course we have to act globally as well. There's no question about it—which, I have to say, the federal government is not doing. We have to act globally as well to combat it, and that means taking on the challenge that is delivered to us from developing countries in terms of greenhouse gas emissions. But, you know, this is not going to do that either, clearly.

So we know, factually, there was a 4% rise in greenhouse gas emissions between 2006 and 2007, negating two years of gains. Trust me, it could have been worse. We could actually have a vibrant economy where manufacturers are actually manufacturing and where people are not being laid off daily. In that case, the greenhouse gas emissions would have been worse. That's the kind of double bind we're in now.

What else has the McGuinty government done or planned to do? One of the things that they're planning to do, apart from investing in highways instead of transportation—greatly more money going into highways than into public transportation—is that they're going to be putting about 400-plus diesel trains on rails running through our neighbourhoods in the greater Toronto area. We know that in Parkdale–High Park, because they're going to be running through our neighbourhood. They're

going to be running through Trinity–Spadina. They're going to be running through York South–Weston. They're going to be running through a number of our neighbourhoods—one of the most polluting acts a government could possibly engage in. Out of a hundred different cosmopolitan areas, only Bangladesh is investing in diesel trains the way we are in Ontario. We should be absolutely ashamed of that. The response to that is, "It gets them out of their cars." Well, unfortunately, cars are less polluting than diesel trains. So, in fact, we're looking at an increase of pollution through many of our GTA neighbourhoods because of the actions of the McGuinty government.

If you want more information, folks, on that, don't trust me; check out the Clean Train Coalition and you'll get all the facts and figures you want. Because if you live within breathing distance of the tracks, not only will your lungs and your children's lungs and your health be affected, but your property values will too. We don't want to live in a rail ghetto in Toronto, and we don't want diesel trains. That's something that is extremely active that this government is pursuing, and that definitely will increase greenhouse gas emissions, there's no doubt, because the major increase in greenhouse gas emissions is from transportation in this province.

#### 0910

It's interesting, you know—it's not an even field. Should we all do something about greenhouse gas emissions in our own lives? Absolutely. But when you look at who the major polluters are, you're not looking at the cleaning lady who lives down on Jameson and takes public transit. No, by no means. This is a class-based issue. You are looking at wealthy Canadians who are by far the greatest polluters in this country and the greatest producers of greenhouse gas emissions. There's no doubt.

Canadian economist Lars Osberg studied this and found that if not for the rising incomes of the richest Canadians and the increased consumption that has gone along with their grotesque wealth—and "grotesque" is a good adjective to use there—Canada would be on track to meet its Kyoto targets.

Yes, ladies and gentlemen, that means those who are driving their Hummers to their mansions in Rosedale, even if George Smitherman is standing in one of those mansions and talking about retrofitting the windows. They are still polluting far and away greater amounts than the cleaning lady on Jameson who is taking public transportation; not to mention the CEOs of the oil companies; not to mention the tar sands; not to mention the fact that here in Ontario we still have Nanticoke, one of the greatest polluters in Canada, and it's still going; not to mention that here in Ontario we are still using coal-fired plants and every year that this government comes back to sit in this House, we hear a new date as to when they're going to be closed. I remember when I was first elected it was supposed to be 2007, then it was 2011, and now it's 2014. The question is, how many children have contracted asthma as a result of this government's



inaction since 2007 when those coal-fired plants were supposed to be—promised to be—closed?

This is all what's actually happening in Ontario, not what this bill says will happen in Ontario. What this bill says will happen, of course, has no backup. It simply says we don't like greenhouse gas emissions. It reminds me very much of the anti-poverty bill, the 25 in 5 that says we don't like poverty. That was a "We don't like poverty" bill, no plans as to how to combat that.

Here's a challenge. It will be interesting to see six months into that five-year span with the 25 in 5 program, if poverty rates have gone down—a challenge to the government, because I would bet anything they've gone up, not down. That's six months into the government's five-year program. And I'll bet anything that six months into this bill's passing, greenhouse gas emissions will have gone up too and that we'll still be polluting and polluting more.

It's not enough just to send a greeting card to a voting community. It's not enough just to send out a message, a symbol, that says we don't like greenhouse gas emissions. That message has gone out for over 50 years now and quite frankly the environmental community is not fooled. They see it for what it is. They see it as greenwashing, which is what it is. Just like the anti-poverty bill, it is an attempt to buy off a community with public relations instead of what that community is asking for—and that is action.

If this government were serious about acting on poverty there are a number of steps it could take, and it could take them immediately. One, raise the minimum wage over the poverty line. That would eliminate at least a million from poverty. Two, actually bring about housing instead of talking about it; actually build or retrofit the hundreds of thousands of housing units that we need; actually do something about daycare in this province, because we know women and children are the major sources of poverty figures in this province.

Those are actually concrete actions this government could take. It's not going to. It hasn't; it won't. All it will do is send out a flag, a PR symbol saying, "We want to do something. We think poverty is bad." Well, here we have an environmental equivalent: "We don't like pollution, we don't like greenhouse gas emissions, so we'll send out a signal—a PR gesture to that community saying, 'We don't like it. Yes, we'll do something.'" Everything—everything—is going to be left to regulation. Everything. I mean this is a bill of one and a half pages' length. If you look at similar efforts in the United States, as has been discussed in this House last night, you'll see 1,200 pages dealing with the same issue. Why? Because obviously, if you are going to deal with something like cap-and-trade systems to combat greenhouse gas emissions, you can't just say, "We don't like greenhouse gas emissions." You have to actually put into place some kind of system, some kind of cap-and-trade system. That's not in this bill. There's nothing about a system of cap and trade in this bill. Again, it's interesting, because the headlines are always, "McGuinty's going to do

something cap and trade." Of course, as members of the New Democratic Party we're in favour of something like a cap-and-trade system—but actually a cap-and-trade system, not a public relations gesture; not an opportunity to greenwash the environmental community by simply saying, "We may do something, we want to do something about greenhouse gas emissions but, sorry, not in this bill. Maybe someday down the line, maybe in committee, maybe in regulations we'll do something." That's what this bill says. That's all it says. It's sad; it truly is sad.

Let me give you some examples of what could happen here. Manitoba has this wonderful system where if you want to retrofit your house or if you want to put new windows on, you don't have to go out and spend \$8,000 to \$20,000 dollars of your own money that you don't have—because let's face it: Ontarians are in a recession. They don't have \$8,000 to \$20,000 to spend on retrofitting their house to make it greener. No, they will actually lend you the money, lend you the services, get the windows in, and then you pay them back in your energy savings. That becomes a revolving fund to help others do the same. Now, that makes sense.

What doesn't make sense is what we've now got in Ontario: a program where you shell out thousands of dollars, and after a great deal of red tape you maybe get some money back. That's the program we have right here. And that's only for homeowners. Then we're talking about tenants. Tenants, unfortunately, are caught between the proverbial rock and hard place in terms of the environment. Because tenants who pay their own heat, tenants who pay their own utilities, are dependent on their landlords actually doing something. So all those high-rise towers that have leaky windows in my riding and ridings across this province, all those tenants who pay their own heat, there's no incentive, absolutely none, for those landlords to retrofit their buildings at huge expense so that their tenants can save on their utility bills. Think about it. Think about how much wasted energy goes out the windows and doors of most of the rental units in this province.

We could go on. We could talk about urban sprawl. We could talk about the secret deal, for example—this was in the *Toronto Star*—that they said the developers made with the Liberal Party to spawn yet more urban sprawl north of the greenbelt in the Bradford-Barrie area. This brings to mind that when you want to understand politics—and it doesn't matter what jurisdiction you look at—you look at who pays. He who pays the piper calls the tune. Come on, we know the Liberal Party in Ontario is vastly funded by developers and the nuclear industry. And of course they want that money to keep rolling in so they can keep winning elections. They're going to have to dance to that piper's tune, and they are. They're making all the noises in the other direction—good camouflage—and then they're dancing to the developer's tune. That's clearly what's happening here.

This is not a problem for everyone, right? This is not a problem for everyone, in terms of producing greenhouse gas emissions. But it has overwhelmingly been industry, it's



been the government's policy to make everyone feel equally guilty about producing greenhouse gas emissions. I'm standing here as a New Democrat and saying, again, to use that woman who lives in one of the rental apartments down on Jameson and who goes on public transit because she can't afford a car, every day, who pays her utility bills despite the fact that she's leaking energy out the windows, it's not as much her fault as it is the fault of those opposite, as it is the fault of the developers, as it is the fault of all of those huge greenhouse gas emitters that we have, as it is the fault of the guy who drives his Hummer to his 4,500-square-foot house in Rosedale. First of all, let's understand who we're talking to and who we have to curb here and what we have to do to actually make a difference.

Let's end on a positive note. I only have a few minutes left. There are many things we have to do, and one of them is not to get people to pay to pollute. Any system that says if you've got money you get to pollute is a system that we don't want any part of, as the New Democratic Party. Because then the rich get to pollute and the poor get to, again, live in their leaky-windowed apartments on Jameson. So pay-to-pollute programs—we want none of it.

0920

What you need to do is you need finally to take some dramatic steps to stop greenhouse gas emissions. What does that mean? That means that we can't be cozying up to those folk who are destroying our planet. That means that we actually have to get energetic, that we have to get courageous, that we have to stand up to the piper who's paying for the tune and say, "We're not playing that tune anymore." If you're a developer and you're creating urban sprawl, you know what? That's going to be illegal. If you are a manufacturer, if you are a greenhouse gas emitter, if you're producing SUVs, if you're driving SUVs, you've got to stop that. That won't be allowed in our constituency, in our jurisdiction. You've got to stand up and actually make a difference. Because if you don't—thinking back to when I was a teenager and watched that first program on CBC on pollution—we won't make a difference in this generation.

One should sit down with an environmentalist and listen to the forecast about what's going to happen for our grandchildren and their great-grandchildren, because they are going to pay the price. We've seen the increasing tornadoes and storms; we've seen the increase of natural disasters all due to climate warming and to greenhouse gas emissions. We know the result. We know that we're just at the beginning of the end, so to speak. Do we really want to sit and change tables on the Titanic, folks? Or do we actually want to change the ship? We've got to change the ship here. I don't see anything in a one-and-a-half page bill, anything in a piece of greenwashing, anything that's really just an attempt to get votes from the environmental community that's going to change the direction of any ship, that's going to make any difference for any child any time soon in this province.

So, unfortunately, I'm not pleased to speak about this bill. What I'd like to see, instead of paper, is some action.

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Mr. Lou Rinaldi:** It's a pleasure to respond to the member prior. I want to suggest a couple of things. One, we have a long way to go when it comes to bringing our environment in line to what the people of Ontario expect. It's true; we do have a long way to go. But, also, it's worthwhile acknowledging some of the steps even before the cap and trade that we're talking about today. It's not just one flick of a switch, that we'll go from one direction to the other, as some members would suggest. It is truly a long-term commitment, and I think we need to reflect on how we begin on the long-term commitment to try to achieve some of those goals.

Speaker, you're aware—you were here when the province brought in legislation to create a greenbelt, some 1.8 million acres of what we have around the largest populated area in Canada. It's there to help protect the environment. At the same time, we allow those 1.8 million acres to be used as part of establishing, for the agricultural industry, a stable framework so they know that not only are we protecting the environment by creating the greenbelt, but also providing sustainable farmland that we can have close to home so we don't have to truck produce or agricultural products for miles and miles. We're planting some 50 million trees by 2020. That's all part of the plan. I wish I had more time, but I just thought I'd point those couple of things out.

**The Acting Speaker (Mrs. Julia Munro):** The member from Thornhill.

**Mr. Peter Shurman:** I listened with interest as my friend from Parkdale-High Park talked about this bill, and in many respects, reflected my own views on the bill. She went pretty far afield, talking about pollution from Hummers and leaky apartments on Jameson, but that notwithstanding, they have a place. But they're very, very far away from a bill that, in substance, doesn't have much more to it, in fact, less than the average private member's bill.

Cap and trade is a complex subject. It's something that on some level I'm sure that I and my party would be happy to support, but we have to have some elaboration. We don't see, in this bill, anything whatsoever to do with targets. We don't see anything to do with jurisdiction. The jurisdiction of Ontario alone does not regulate climate. In concert with Quebec, it doesn't regulate climate. Perhaps in concert with Canada, it begins to, but you've got a number of divergent groups; for example, less than a dozen states and provinces called the Western Climate Initiative—good idea, but, again, it doesn't regulate.

We don't know from this bill whether or not we are talking about handing out credits on a free-of-charge basis to people or companies who have, of necessity, to put carbon into the atmosphere. So is that free of charge or is that at auction? The whole mechanism by which cap and trade works is dependent upon a modified tax system that, by necessity, forces products created by companies that do put out carbon in large quantities—to charge more for those products, and that comes back to people



who purchase the products through the tax system, but we see no mechanism there either.

Let me be clear: I would support cap and trade on some level; I'm sure that my party would. We are not anti-environment, by any stretch of the imagination. We want to see something go through, but it's not simply for the children because the Minister of the Environment says so.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions?

**Mr. Howard Hampton:** I listened to my colleague from Parkdale-High Park delineate a number of issues with this bill. I think she's quite correct that the greatest substance in this bill is its title. After that, it's pretty lean pickings. After that, one is left asking, "Where's the meat? Where's the substance?" This continues, I think, a tradition of the McGuinty government: Just put forward enough to get a headline and end it there. That is what we have here. Anything which will tell us where we're going to be five years down the road, 10 years down the road, 15 years down the road is absolutely missing.

What I do note, though, on the part of this government is that oftentimes when an industry shuts down in Ontario and 400 or 500 workers get put out of work, there are members of this government who will say, "This is good for the environment." It's the first time I've ever heard thousands of Ontarians losing their jobs being described by a government as good for the environment, but we actually have government members doing that. Paper mills shut down in northern Ontario and I hear members of this government say, "Oh, this is good for the environment."

**Interjections:** Name names.

**Mr. Howard Hampton:** When people lose their jobs, when you see electricity usage going down because paper mills are shutting down and steel mills are shutting down, that is not good news.

But I see I've touched a nerve with this government, and so I look forward to more debate on this in the days to come.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions?

**Mr. Rick Johnson:** I appreciate the comments made earlier by the members from Parkdale-High Park, Thornhill and Kenora-Rainy River. This act, Bill 185, I believe is another responsible step on the road to a green economy. You combine this with the moves that our government has made on the Green Energy Act—businesses across Ontario are jumping in to invest now. In a perfect world, we could stand up and wave a magic wand and eliminate coal generation tomorrow, and we could find a way to dispose of nuclear waste tomorrow. But it involves us moving to a totally green economy, and this simply is not possible in today's world.

What we have, though, is the ability to take steps, responsible steps. There are businesses that are coming up in my area that are looking at solar generation. Part of the green schools act has allowed one company to move forward with a solar generation system that, put on the

roof of a school, can generate money for schools right away. They're jumping into the green schools act, which is a very positive system. We have a company, CARMA Industries, which is moving to my riding and putting in monitoring for schools so that they can control their energy use.

**0930**

Any smart business will go—in the cap-and-trade system, if you have to spend more money to be able to pollute, if I was running that business, I'd be looking tomorrow to make sure that I could cut back on my energy usage. This is a smart part of moving ahead in our economy.

This bill will stimulate businesses to move now. You combine that with the tax incentives that were in our last budget and it makes Ontario a great place to invest.

**The Acting Speaker (Mrs. Julia Munro):** The member from Parkdale-High Park has two minutes to respond.

**Ms. Cheri DiNovo:** Thank you, Madam Speaker, and by the way, congratulations on your new role.

There are a lot of biblical passages about God, essentially, or the owner of land investing in a steward and telling that steward to look after and take care of the wealth. That's what we're asked to do here. We're asked to look after the wealth of the planet so that our children might inherit it. We don't need baby steps—I'm hearing a lot about, "Oh, well, this is a just a little baby step." What we need now, 40 or 50 years later, after we knew the problem existed, is quantum leaps; we need quantum leaps here. What we're getting is a one-and-a-half-page document that says nothing, that does nothing and that is a prime example of public relations. "Greenwashing" is the term: That's what this document does.

Let's be clear: I suggest that anybody watching this go and look at the bill themselves, and they'll have a good laugh over coffee in the morning. It's one and a half pages long. It says nothing and it does nothing, and that is the hallmark of the McGuinty Liberals. The hallmark of the McGuinty Liberals is to say a lot, do very, very little, and make it sound very, very good. That's what they're good at.

Here is a perfect example: a \$40,000 electric car that's being touted by the government—how many people in this economy can afford a \$40,000 electric car?—and at the same time putting over 400 diesel trains on the tracks, the only jurisdiction outside of Bangladesh, running through our neighbourhoods. If that isn't hypocrisy, I don't know what is. This bill is not going to address that.

Quite frankly, greenhouse gas emissions are up. Need we say more? Despite all the rhetoric, despite the paper, in this jurisdiction, in this province, the McGuinty government is failing on the environment and that stat proves it.

**The Acting Speaker (Mrs. Julia Munro):** Further debate.

**Ms. Helena Jaczek:** I'm honoured to rise today and speak in support of Bill 185, our government's proposed Environmental Protection Amendment Act.



As this House heard yesterday from the Honourable John Gerretsen, Minister of the Environment, the climate change crisis is a battle that must be fought on many fronts. There are no quick fixes to this challenge, and Ontario is determined to be a leader in this fight. Bill 185 is a key piece of our strategy to reduce greenhouse gas emissions and create a successful low-carbon society. If passed, it would place us further along the path to meeting the progressive, ambitious reduction targets laid out in our climate change action plan.

I want to remind the members of this House that these are among the most aggressive greenhouse gas reduction targets in North America. They are 6% below 1990 levels by 2014—the Environmental Commissioner has confirmed we're well on our way towards meeting that particular goal—15% below 1990 levels by 2020, and 80% below 1990 by 2050. But what really is the true importance of these targets? Well, for me as a physician, of course the paramount concern is human health. We're well aware that climate change has led to catastrophic weather events, floods, tornadoes, storms and drought. These are all things that will take a toll on human health. But also locally, in Ontario, the Ontario Medical Association since 2000 has in fact been documenting the cost of illness from air pollution. This is premature death from smog, for which they have actually calculated the numbers. In 2008, it was estimated that some 9,500 premature deaths a year in Ontario were caused by smog. In my own region, York region, the number was some 590. I really want to commend the Ontario Medical Association for making this point over and over. Of course, this is part of what has informed our government's actions to close coal-fired generating plants, and we are on track for 2014.

The proposed act allows for the development of a harmonized cap-and-trade system for Ontario that would link to a broad North American system. To reiterate, we believe that cap and trade is a fair and effective approach that is both economically and environmentally sound.

We support the development of a system that has absolute caps declining over time. It's consistent with other North American trading systems for linking purposes and will result in real and significant greenhouse gas reductions.

The system would also give Ontario businesses and industry the opportunity to compete and succeed in the new low-carbon economy, and it would provide an economic incentive to achieve emissions reductions.

We know that Ontarians support our goal of sustainable prosperity. More and more, we are hearing that people do not believe the environment and the economy are trade-offs. My constituents in Oak Ridges–Markham tell me that the economic downturn does not affect their expectations of decisive government action on climate change. In fact, this last weekend at the Kettleby Fair, in the heart of the greenbelt, in beautiful King township, upon discussing my new assignment as parliamentary assistant to the Minister of the Environment, a very vocal advocacy group in my riding—shared by you, Madam

Speaker—the Concerned Citizens of King Township, reinforced this particular notion.

I think many members of the House will be familiar with a recent Canadian Press–Harris/Decima opinion poll that echoes these sentiments. Close to 67% of people surveyed put the environment and the economy on equal footing, saying that government should be prioritizing both.

I think it's wonderful that so many people in our country have come to this important understanding. It's also wonderful to hear, as I often do, of the various ways Ontarians from all walks of life are engaging to reduce their carbon footprint.

Our government's continued commitment to protecting the environment while building a green economy is right in step with where the future is leading. The framework contained in Bill 185 would allow us to build on the wide range of initiatives we have already undertaken in our fight against climate change, and a cap-and-trade system for Ontario is one of the most essential tools we need to get us where we need to go. Our collaborations with partners across Canada and across borders would inform the development of a broad North American approach.

I would urge all members of this House to review the discussion document, *Moving Forward: A Greenhouse Gas Cap-and-Trade System for Ontario*, that was released in June of this year along with Bill 185. It's very clear from this document that this government is considering all the policy issues and options that we've heard about since debate commenced yesterday.

The stakeholder comments that we have received are being reviewed very carefully to ensure that the system we develop would work for the province, is fair and equitable, and maximizes trade opportunities for Ontario businesses. We will continue to seek input from a broad range of stakeholders for these very reasons.

Cap and trade has many complexities and many details to plan out carefully, and it is our intention to do just that. But it is clear that Ontario is poised to play a vital and positive role in developing and implementing an effective system. Cap and trade presents us with incredible trading opportunities. Last year alone, the global carbon trading market was valued at approximately US\$125 billion. Jurisdictions around the world have already implemented carbon trading initiatives, including the European Union and the northeastern United States. Australia, New Zealand and Japan are developing their own cap-and-trade systems as well.

We know that one of cap and trade's greatest benefits is its ability to spur the kind of innovation that results in improved sustainable industrial processes. It can help act as a springboard for technological innovations that propel us into a low-carbon future.

Moving forward on developing a harmonized cap-and-trade approach, one that links to other systems, will position Ontario as a centre for expertise. We stand to be at the forefront of the green technology development that a broad North American cap-and-trade system would



depend on. A shift to a low-carbon economy means many business opportunities and the creation of a diverse range of new jobs. These are the green-collar jobs of tomorrow that will contribute to a green economic recovery for the province.

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Ontarians expect us to do all that we can to protect the environment, build healthy communities and participate in the emerging green economy. By passing Bill 185, we would take our place as a leading jurisdiction in the fight against climate change and in realizing the goals of Ontario's climate change action plan, and it will help us to take advantage of the opportunities offered by the emerging green economy.

Ontario has the talent, the drive and the innovative vision to put us on the cutting edge of cap-and-trade development and implementation. Adopting cap and trade will encourage all kinds of new investment in our province. It will boost our competitiveness and reposition us to succeed in the global market.

Our work with Quebec and other like-minded jurisdictions across Canada and the US will help us reach a unified stance on an optimum approach to cap and trade. This will ensure a prosperous, sustainable future for Ontarians. The transformation to a sustainable green economy requires assured action, and Bill 185 is a crucial building block.

We know that a new green economy for Ontario means investment opportunities, innovative developments in processes and products and thousands of new jobs right here in the province.

For all of these reasons, I encourage all members to support this important step in protecting Ontario's interests, creating good green jobs and meeting our emissions reduction targets. It will help us to secure the kind of future for Ontario we all want, a future where the health and well-being of our communities are put first; a future where superior environmental protection measures have been put in place; a future with a thriving, sustainable green economy. Thank you.

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Mr. Toby Barrett:** The member did talk a fair bit about maximizing trade opportunities and made reference to incredible trade opportunities, I think referring to trade in carbon credits. On this side of the House, there is a very real concern with respect to trade and a concern with respect to trade in other commodities beyond carbon dioxide credits: trade in steel, trade in cement, petroleum products, energy, oil and gas.

And, as Mr. McGuinty himself has indicated, Ontario now has a concern with respect to the damage that cap and trade would do to Ontario's manufactured products that we do wish to export and produce. Mr. McGuinty was in the media indicating his concern with respect to the musings of Mr. Harper with respect to implementing cap and trade and how that would damage the trade with respect to our manufactured goods vis-à-vis other provinces. That's just within the Dominion of Canada.

Taking a broader perspective, which this one-and-a-half-page piece of legislation does not do, we realize there are no guarantees with respect to international trade or global trade. If anything, the concern, once we ratchet down the controls on our manufactured goods, is we would come to realize, unless this bill is reaching out to countries like China and India, that we are going to be flooded with uncapped imports.

**The Acting Speaker (Mrs. Julia Munro):** The member for Parkdale-High Park.

**Ms. Cheri DiNovo:** I listened with interest to my friend from Oak Ridges-Markham and what she described as the veritable Garden of Eden in Ontario. We want that, too. We want a cap-and-trade or cap-and-auction system, too, in the New Democratic Party. This bill doesn't deliver it. That's what this discussion and this debate is about. This bill is one and a half pages long. There's nothing in this bill to attest to what she's describing—nothing. This all sounds very wonderful. "Where is it?" is what we say. Where is it? Why isn't it in the bill? And if it's not in the bill six years into the McGuinty term of office here, why isn't it in the bill? I mean, surely six years later one could have expected something with a little bit more substance than a one-and-a-half-page greenwashing public relations exercise, which is what we've got here.

Now, in committee—and I would suggest to anybody out there in the environmental community who wants to write in that they should be deputing and writing in; my goodness, yes—certainly there's hope. There's always hope. There's hope that this bill will eventually be expanded to cover all of the things that she's described. There's hope that the greenhouse gas emissions will go down in Ontario. The reality is, however, that they are going up. The reality is, however, that we are building more roads. The reality is, however, that we have more urban sprawl. The reality is that we are going nuclear. And the reality is that this bill is one and a half pages long and it doesn't do any of the things that are reported by my friend from Oak Ridges-Markham.

So, we live in hope, absolutely. We certainly live in hope. Otherwise, none of us would be sitting in this Legislature. We live in hope that things will change, that things will get better and that we will live in a veritable Garden of Eden in Ontario, but unfortunately, it's not going to be through Bill 185.

**The Acting Speaker (Mrs. Julia Munro):** Further comments and questions? The member for Eglinton-Lawrence.

**Mr. Mike Colle:** Thank you, Madam Speaker, and congratulations on your new assignment.

Like you, the member for Oak Ridges-Markham knows full well that the real battle for fighting expanded carbon footprints is in York Region, where there's been incredible pressure to pave all of York region and forget about the incredible environmental resource that it is. That's why I think one of the most significant things this government has done, one that's been opposed by many in the opposition, is the 1.8-million-acre greenbelt. It is



an incredible testament to the vision of the Premier. This greenbelt means that there are finally lines drawn, that you can't pave everything north of Steeles, and that there is very good science, very good planning and very good investment in sustaining our farmland in York region, but also our green space. The member from Oak Ridges–Markham knows that. That's why the second part of that is to push public transit into York region, and that's why I've always been shocked by the NDP not supporting the subway going into York region. The member from Thornhill knows we have to have the subway going into the north—

**Mr. Peter Shurman:** I do, but that has nothing to do with this bill.

**Mr. Mike Colle:** It reduces your carbon footprint. The member from Thornhill doesn't understand that if you want to reduce carbon, you have to have people getting out of cars and getting into public transit. The subway is run on clean electricity. The \$11 billion on new streetcar lines going across the GTA, the NDP opposed. This is what this bill is all about.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions? The member for Thornhill.

**Mr. Peter Shurman:** I listened with interest to my friend from Oak Ridges–Markham, and first of all I would like to congratulate her on her new role as parliamentary assistant in this particular area of the environment. She paints an absolutely glorious picture of what Ontario would look like if we passed this bill. If she knows something—and I presume she does—that hasn't been shared with the rest of us, I wish she would provide it, chapter and verse, in a bill that, as the member from Parkdale–High Park says, is a very scant few paragraphs and doesn't tell us anything about where this rosy future comes from.

I have in front of me a short paragraph that I would like to read into the record that comes from a document prepared some months ago by the Canadian Chamber of Commerce on the issue of cap and trade. It says, "A national cap-and-trade system would require the creation of new administrative and legal trading infrastructure, complete with new regulations and institutions to effectively enforce the system," including fines and sanctions, "and a national electronic registry for issuing, holding, transferring and cancelling permits."

That describes in a very few words the complexity that's involved in implementing a cap-and-trade system. You can't just do this at the provincial level by passing a bill that is as simplistic as this. You have to be more elaborate.

One has to presume, from looking at this bill, that we're talking about a fairly complex regulatory structure that we in the other parties have no way of knowing—in fact, I rather doubt that at this early juncture, you in the governing party really know—what the regulations are going to look like. We would look forward to that, but I can tell you that as this bill stands, it would be very, very hard to vote for it. Cap and trade, as I said earlier, on the face of it is a reasonable approach using monetary levers

to control climate, but this bill doesn't tell us anything about the how.

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**The Acting Speaker (Mrs. Julia Munro):** The member from Oak Ridges–Markham has two minutes to respond.

**Ms. Helena Jaczek:** I'd like to thank the members from Haldimand–Norfolk, Parkdale–High Park, Eglinton–Lawrence and Thornhill for their comments. As I always like to emphasize the positive, I am so glad that apparently all sides of the House do share a common vision and the recognition that cap and trade is extremely complex.

However, some of the comments did seem to perhaps not acknowledge our government's firm commitment to this type of vision and the actions that we've already taken. I just want to remind the members that in fact, in relation to our goal to eliminate coal by 2014, we recently announced the closure of two units at Nanticoke and two units at Lambton by October 2010. Comparing carbon dioxide emissions between 2003 and 2008, those emissions have been reduced by some 33%—very solid achievements.

If we want to look at what we've done with our new Green Energy Act, we know that we're going to attract new investment in renewable energy. We have made some substantial progress as it relates to wind turbines. When we formed government there were some 10 turbines in the province; now there are over 670. That's an 80-fold increase, and we have signed contracts for another 1,170 megawatts of wind products. Just in 2008, wind power generation increased by 37%. These are substantial achievements.

My friend from Eglinton–Lawrence alluded to the green transportation plans that we have—the \$11.5-billion investment in rapid transit for the greater Toronto area and Hamilton. These are documented initiatives of this government. The greenbelt, from which we both benefit, Madam Speaker, is another sterling piece of legislation achieved by this government.

**The Acting Speaker (Mrs. Julia Munro):** Further debate?

**Mr. Robert Bailey:** Thank you, Madam Speaker. Before I start, I'd like to congratulate you on your new responsibility. It's about time.

It's my pleasure to participate in today's debate on the cap-and-tax scheme. I listened closely yesterday to the member for Haldimand–Norfolk. I think he's doing a tremendous job as our environment critic in pointing out the flaws in the McGuinty government's approach to this global issue.

I have to say I was disappointed, upon our return to Queen's Park, that instead of debating the issues that Ontarians, especially in Sarnia–Lambton, are talking about the most, like the Dalton sales tax or eHealth, we find ourselves discussing Bill 185, the Environmental Protection Amendment Act. As my colleague from Haldimand–Norfolk so effectively said yesterday, the McGuinty team, when desperate for a headline, will grab a



green headline with ineffective, costly environmental legislation. In this case, this government has come forward with its local response to a worldwide issue.

Like him, I was also shocked when I saw Bill 185 and it was, as some other members have alluded to, just a page and a half long. By comparison, the most recent United States legislation, Bill HR 2454, the American Clean Energy and Security Act of 2009, came in at 1,200 pages, with at least one 309-page amendment. That would be something you would expect for a national and international response to a problem that literally millions of pages and electronic blogs have been written about and that requires a solution on a world stage to be effective.

To be clear, Bill 185 is cap-and-trade legislation aimed at reducing carbon emissions through setting emission limits for business and industry, with those businesses unable to meet those limits having to buy carbon dioxide credits from those who are emitting less. This bill is an extension of Stéphane Dion's Green Shift. Although it's not strictly the green tax of the Dion school, it is an extension of this. Basically, as costs are downloaded, it becomes an extension of the Green Shift in the form of an indirect tax or, in other words, a hidden tax, hence my references to a cap and tax.

My main concern with this legislation revolves around the inadequacy of a local provincial response to a global question and concern that makes this bill more or less pointless. Quite simply, if some of the main producers of carbon are not going to be involved in this cap-and-trade gambit—for example, China and India—how can the McGuinty government change the climate? And how do we compete with their imports? Some people have even referenced this program as the cap-and-trade jobs-to-China plan.

When you consider that China, at 1.3 billion people, is the largest emitter of carbon dioxide in the world, you realize the true nature of the carbon question on a global scale. Encouragingly, India, at over a billion people and the fourth-largest emitter of planet-warming carbon dioxide, has recently announced a cap-and-trade plan of their own.

So here we are, in the dog days of a recession, when yet again government has seen fit to bring environmental issues to the centre stage, grabbing headlines really quickly but doing little else other than pulling the rug out from under our manufacturers that have struggled through this tailspin of an economy.

So again, today, we have the opportunity to debate Bill 185, the Environmental Protection Amendment Act. In some corners it is better known as the cap and trade or, more accurately, cap and tax.

I think the example about China that the member for Haldimand-Norfolk used yesterday bears looking at again. As the member referenced yesterday, if Ontario or North America has CO<sub>2</sub> costs and China does not, then CO<sub>2</sub> regs become a massive wealth transfer to China. More importantly, it will lead to higher CO<sub>2</sub> emissions globally as they shift production from relatively more

efficient North American plants to less efficient Chinese facilities.

Any thought that Ontario needs to lead on greenhouse gas regs and then the rest of the world will follow is naive. Consider the following: The People's Republic of China is the largest consumer of coal in the world and is about to become the largest user of coal-derived electricity, getting 1.95 trillion kilowatt hours per year, or 68.7%, of its electricity from coal, as of the year 2006, compared to almost two trillion kilowatt hours produced, or 49%, of the United States' power. Hydroelectric power in China supplied another 20% of China's needs in 2006.

With approximately 13% of the world's proven coal reserves, China has enough coal to sustain its economic growth for over a century or more, even though the demand for that coal is currently outpacing production.

China's coal mining industry is also one of the deadliest in the world. Coal production rose 8.1% in 2006 over the previous year, reaching 2.38 billion tonnes, and the nation's largest coal enterprises saw their profits exceed, in American dollars, \$8.75 billion.

If China is not outside, if China is not part of this carbon trading scheme, we are more or less spitting in the wind, especially if we think that hampering industries in our province and a couple of Great Lakes states is going to make any dent in the amount of carbon emissions being sent into the atmosphere.

In my riding of Sarnia-Lambton, the province recently announced that they were going to close two electrical generators at the Lambton generating station, with the loss of over 100 jobs—I hear the government side laughing—by 2010, with—

**Mr. Peter Shurman:** They think job losses are funny.

**Mr. Robert Bailey:** Yes, they think job losses are funny. That's what I always want to know: What about the jobs? Everybody's talking about carbon trade, and cap and tax, but what about the real people, the lunch-bucket crowd who have to depend on these jobs every day to pay the bills?

The government would like us to think that they're striking a blow for clean air. I think they're wrong. They are doing this at a time when demand is down by over 20% and people are already losing their jobs. What happens when the economy does turn around and demand for electricity takes off? Where will we get that power then? They'd say, "Turbines." Well, I think that answer is still blowing in the wind; I don't think that has been proven yet.

In our airshed we have dozens of coal plants, mainly, in the United States, from the Ohio River valley, that aren't closing and in fact are being expanded. We are losing generation capacity in Ontario and we have nothing to replace it with. This is short-sighted on the part of this government and a decision they will come to regret.

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I do remain hopeful regarding ongoing Ontario Power Generation's plans to implement biomass for possible future energy production and employment at Lambton



and other sites. I will also work with the farmers and the OFA, the Ontario Federation of Agriculture, to make sure that this offer from OPG is serious and not just something that will get their hopes up, and that won't end the way most issues in rural Ontario do: with the McGuinty government sticking it to them.

It's time for this government to look beyond this anything-but-coal narrow vision and consider the benefits that can be achieved through investment in new technology that keeps our air clean while ensuring a reliable and affordable power supply for the future. Instead of closing our coal-fired generators at Lambton and Nanticoke, they should be following the lead of the previous Progressive Conservative government in bringing in further clean coal technology so that they can continue to operate in an environmentally friendly way. This technology is already there. It is widely used throughout the world and further investments are being made by the United States government, but this government refuses to look at it.

As for cap and trade, United States-India relations are important, and United States-China-Canada relations are key. Let's hope it's not cap and trade jobs to China.

As the member from Haldimand-Norfolk reminded us yesterday, the United States imported \$337 billion of Chinese goods in 2008. According to the United States Department of Commerce, India exported about \$21 billion in goods to the US. But according to Bloomberg News, "Global warming policies being considered by the United States and Japan risk provoking trade barriers, Chinese and Indian officials said in interviews." And it's been argued that cap and trade is another form of trade protectionism: It is an excuse to place trade barriers and tariffs on imports from countries by calling their products environmentally dirty. No carrots here; these are sticks.

We are a trading nation, and we should be very cautious when we take steps that may be considered trade barriers to some. This is why we have to understand the many sides that need to be addressed in developing an effective cap-and-trade program—a program that must be accepted globally and be led at the national level.

Again, to quote the member from Haldimand-Norfolk, this is "a global problem," and we should not get too tied up in developing moot local cures that hamper our business owners while failing to address the expansiveness of the disease.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions?

**Mr. Mike Colle:** I appreciate the comments from the member from Sarnia-Lambton. The only thing I find a bit confusing is that the member is praising the use of coal-fired generation in Ontario, yet he's slamming it in China, saying how awful it is and that they're so reliant on coal. So I just don't quite get the axiom, the connection there and the contradiction.

The interesting thing is, the Conservatives, up until very recently, were climate change deniers. You all saw Stephen Harper—all of them. They all said, "There's no such thing as climate change." They had a group of

scientists going around Canada saying that there's no such thing as climate change. So it's hard to take admonition from a Conservative, who up until very recently didn't even believe climate change existed.

The other thing is about China. Sure, there are some very scary things happening with the number of coal-fired generation plants that are being built there. It's something like two every couple of weeks, and that's worrisome. But then to say, "Well, the real problem is in China"—which is true in part. The real problem is that the real consumption of carbon, to an extraordinary amount, happens in the Western world. You don't find too many people in China living in 5,000-square-foot homes. They don't have air-conditioned homes in relatively cool climates. They don't drive around in SUVs all over the place. Their carbon footprint—the average Chinese or Indian citizen—is 100 times smaller than ours here in North America.

So we have to do our part—that's the point. We can't say, "Well, we, on a gross basis, don't consume that much carbon." We do. On a per capita basis, it's scary how much carbon we consume, how much energy we waste, and how much we're overhoused, overheated, over-air-conditioned and overtransported. We've got to maybe learn some lessons from the Indians and the Chinese.

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Ms. Cheri DiNovo:** You know, it's interesting: We've got the Conservatives, who are saying we shouldn't do anything; we've got the Liberals saying, "We'll do something in the future." I think about, what is a horizon? A horizon is that imaginary line up ahead that, as you approach it, disappears completely. That's what we're dealing with when we're dealing with Liberal policies. And, of course, with the Conservatives, unless China or India acts, then there's no urgency to act for us.

The fact of the matter is the McGuinty government promised to close coal-firing plants by 2007. Then I think it was 2009, it was 2011, 2014. This is certainly an ever-disappearing horizon for coal-firing plants in this province. Although yes, true, China is building two new coal plants every three weeks, they're also making strides in China, unlike us here, to put some money and some serious effort into renewables.

McGuinty, again, talks about all of these wonderful things they've done. I come back to the simple, fundamental reality—and you compare this to some European jurisdictions where the reality is very different, where 20% to 30% of their power comes from renewables. Here, that is not the case. Here, greenhouse gases are up, urban sprawl continues, car traffic continues, and individual consumption and production of carbon is growing. Things are getting worse; they are not getting better in Ontario. We are laggards; we are not leaders. That is our current historic reality.

Do we need to do something? Absolutely, but not in the future, not in 2014; absolutely we need to do something right now. I think anybody who listens and who actually picks up this bill and sees it's one and a half



pages of nothing will know that this isn't action, and it's certainly not action now.

**The Acting Speaker (Mrs. Julia Munro):** Further comments and questions?

**Ms. Helena Jaczek:** I'd like to take this opportunity to comment on some of the remarks being made in regard to the length of the bill. I think we need to understand that in Ontario we already have a lot of existing authority in the Environmental Protection Act and we only need amendments in specific areas, particularly around auctioning and linking to other systems, to carry out a greenhouse gas cap-and-trade program for Ontario. More specifically, the proposed amendments support the distribution of greenhouse gas allowances by auction, free of charge, or by other means. It more clearly sets out existing regulation-making powers with respect to establishing the scope of a cap-and-trade program; the creation, use, distribution and trading of allowances and offsets; establishing, monitoring and reporting requirements; and to support emission trading across jurisdictions. Apparently, to the opposition parties this does not sound like very much, but this is absolutely essential to move forward, and that's exactly what we're doing.

The discussion paper—I alluded to this earlier, *Moving Forward: A Greenhouse Gas Cap-and-Trade System for Ontario*—outlines in detail what we've been hearing, the considerations that need to be made and options for moving forward. We need to acknowledge that cap-and-trade systems are in fact emerging across North America, and in order to ensure our industries have broad access to trading with other jurisdictions, Ontario's cap-and-trade program and its design features need to be compatible. Other jurisdictions will expect that all participants in the trading system face similar requirements to ensure a level playing field and prevent their industries from being disadvantaged. This is all what Bill 185 does.

**The Acting Speaker (Mrs. Julia Munro):** Further comments and questions?

**Mr. Peter Shurman:** One of the fascinating things about this place, and one tends to forget when we're on summer recess, is that we can be looking at a bill that is actually fewer pages and fewer paragraphs than the average private member's bill, and we're recording thousands and thousands of words on the record, and that is germane to this debate because I'm not sure what we're debating. We're debating an idea that seems to exist in the minds of the Minister of the Environment and his parliamentary secretary, but beyond that not very much. And I also hear from some of my colleague members, particularly in the NDP, that the Conservative Party seems to be not in favour of anything. I said myself, as did my colleague from Sarnia-Lambton, that we're in favour of something but we have to be given some definition as to what that something is, and that's what this bill is lacking.

When I listened to my colleague from Sarnia-Lambton, I wrote down a phrase that he used. He said his main concern is "the inadequacy of a local provincial response to a global" problem, and he's absolutely right. This fits into an overall jigsaw puzzle that is worldwide.

At the very least, we should be talking North America and we're not. "This is, indeed, a global issue," he said, and Ontario's questionable response is whistling in the wind.

The member expressed concern about the fact that this, as it stands, looks like what he called a "cap-and-tax" regime as opposed to cap and trade. Cap and trade is about using the levers of the tax system to control greenhouse gas emissions, and that we accept. But unless and until we find out how that is applied to the businesses of Ontario so that they, at the corporate income tax level, as well as citizens at the personal income tax level, can benefit from the rebates of the costs incurred by buying products coming from companies that emit carbon under this regime, we can't vote for a bill like this. We barely understand it.

**The Acting Speaker (Mrs. Julia Munro):** The member for Sarnia-Lambton has two minutes to respond.

**Mr. Robert Bailey:** I'd like to thank the members from Eglinton-Lawrence, Parkdale-High Park, Oak Ridges-Markham and Thornhill.

Yes, I was trying to point out in my remarks here that, as the member from Thornhill said, we're not against improvements in the environment, anything we can do to do that. What we were pointing out here is what we think are a number of issues in here that aren't addressed, and also the loss of jobs that are going to be created. It's more expensive for industry in this province to compete with their opposition and opponents that they do business with in the market.

Also, I'm reminded of the United States, where the great environmentalist—so-called—Al Gore lives in about a 10,000-square-foot home and flies around on a Learjet, yet he's supposed to be the leading environmentalist. Sometimes people's reputations aren't exactly what they are.

**Mr. Jeff Leal:** I can't believe you're slamming Al Gore.

**Mr. Bill Murdoch:** Only Liberals would defend Gore.

**Mr. Robert Bailey:** I'm surprised that the government members are defending Al Gore. I've hit a sore spot. I've obviously hit a tender nerve over there that they're defending Al Gore.

**Mr. Bill Murdoch:** Is Al Gore running here? Al Gore for Premier? Oh, boy. We've finally found a hero.

**Mr. Robert Bailey:** This may come as an inconvenient truth to the government members, but not everybody believes—

**Mr. Bill Murdoch:** I thought you guys had some principles.

**The Acting Speaker (Mrs. Julia Munro):** Order.

**Mr. Robert Bailey:** As a famous wag said one time, you can fool some of the people some of the time, but you can't fool all of the people all of the time.

I appreciate the opportunity to rise today and respond to those remarks, and I look forward to the rest of the debate.

**The Acting Speaker (Mrs. Julia Munro):** Further debate? Seeing none, and it being close to 10:15, this House stands recessed until 10:30.

*Second reading debate deemed adjourned.*

*The House recessed from 1013 to 1030.*



## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** Introduction of guests.

**Hon. John Wilkinson:** Good morning, Mr. Speaker. I want to join my colleague the member from Hamilton Mountain in welcoming Rob Hattin to the Legislature today. He is the president of Edson Packaging Machinery and the chair of the Canadian Manufacturers and Exporters' Ontario division. Thank you so much for being here today, Rob.

**The Speaker (Hon. Steve Peters):** I'll take this opportunity, on behalf of the member from Mississauga South and page Jacob van Wassenaer to welcome his mother, Violet, to the Legislature today.

On behalf of the Minister of Culture and page Jacquelyn McLaurin, we'd like to welcome her mother, Joanne, her sister, Grace, and exchange student Adé Dewavrin, who are joining us today.

On behalf of the member from Guelph and page Kaitlin Wagner, we'd like to welcome her mother, Johanna, to the Legislature today.

On behalf of the member from Willowdale and Hafiz Kanji, we'd like to welcome his mother, Nevin, to the Legislature today. Welcome.

## LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** I'd ask all members to join me in welcoming this group of pages and allow them to assemble for introduction:

Connor Ahluwalia, Beaches—East York; Samaa Bandi, Markham—Unionville; Kingsong Chen, Ottawa West—Nepean; Chantelle Colangelo, Halton; Alyssa Cronin, Huron—Bruce; Ava Doner, Durham; Megan Fernandez, Pickering—Scarborough East; Robert Hamel-Smith Grassby, Etobicoke Centre; Carlos Fiel, Etobicoke—Lakeshore; David Hemphrey, Brampton—Springdale; Tony Huang, Kitchener—Waterloo; Hafiz Kanji, Willowdale; Nicole Lachapelle, Hamilton Mountain; Helen Lee, Parkdale—High Park; Jacquelyn McLaurin, Barrie; Elizabeth Stulen, Brant; Gordon Sun, Oak Ridges—Markham; Jacob van Wassenaer, Mississauga South; Kaitlin Wagner, Guelph; and Mauricie Summers, Toronto Centre.

Welcome, pages, and enjoy your session. Please reassume your positions.

## ORAL QUESTIONS

### ONTARIO LOTTERY AND GAMING CORP.

**Mr. Tim Hudak:** A question to the Premier—further questions about his summer of scandal. After the eHealth scandal, troubles resurfaced at Ontario Lottery and Gaming. A couple of years ago, on Dalton McGuinty's watch, we had OLG scandal number one. Then, this summer, the

Premier said he'd clear house. He severed the CEO and said he'd fight for taxpayers. Now, this summer, we have OLG scandal number two. And once again, the Premier has severed the CEO and said he's fighting for taxpayers.

Premier, your scandals are starting to have sequels. It's not the CEO, it's your ministers who are the head and have a responsibility. To which of your cabinet ministers do you extend most of the blame?

**Hon. Dalton McGuinty:** I'm pleased to take the questions coming from my colleague, but I hope at some point in time he will speak to jobs and the economy, an issue that weighs heavy on the minds of Ontario families. But if the opposition so chooses, then I will continue to speak to accountability issues.

We have a solid history of making the kinds of changes that improve our government's accountability for Ontarians, starting at the beginning, when we turned, under the ambit of the freedom-of-information legislation, organizations which had been excluded by the Conservative government—

**Hon. Dwight Duncan:** Like Hydro One.

**Hon. Dalton McGuinty:** Like Hydro One and OPG. We then gave the auditor additional powers so that he could look into our universities, schools and hospitals, something that the previous Conservative government had also refused to do. I think if you check the record, we have a long and distinguished record when it comes to improving accountability—

**The Speaker (Hon. Steve Peters):** Thank you, Premier.

Supplementary.

**Mr. Tim Hudak:** As the Premier knows, you gave the last CEO some \$700,000 in severance. The latest one is suing for \$8 million. Premier, taxpayers are going to have to win the lottery just to pay for your mismanagement at the OLG. There have been five different CEOs at OLG under your watch—five different CEOs—but not a single minister for that agency is gone, not a single minister has suffered any consequence. In fact, some have been promoted. Would the Premier explain to this House why, after two successive scandals at the OLG, not a single minister has been held to account?

**Hon. Dalton McGuinty:** I understand my honourable colleague's partisan interest in this issue, but I think what Ontarians expect of us is that we will take all necessary steps to ensure that they have confidence in their gaming system. That's why we have made specific and, I believe, appropriate changes. For example, there is now a barcode on the back of your ticket, should you buy a lottery ticket. There are many scanners available at our retailers so they can check that for themselves. We also require that if you want to have your ticket checked by a retailer, you have to sign it first. And just yesterday, there was an announcement providing that if you are retailer, you cannot buy a ticket from your own particular agency; you have to go elsewhere to do it. These are all appropriate steps, I believe, to continue to maintain confidence in the people's gaming system.



**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** Again, Premier, five CEOs have come and gone at OLG under your watch. Not a single McGuinty Liberal cabinet minister has paid any price whatsoever. Just like with your personal untendered contract with Sarah Kramer at eHealth, your hand-picked choice to solve the problems at OLG didn't last long. Just like with Sarah Kramer, Kelly McDougald was replaced under a cloud of scandal.

During his press conference, the Minister of Finance hinted at even more untendered contracts at OLG. Premier, was Kelly McDougald fired in part because of those untendered contracts, and when will you make them public?

**Hon. Dalton McGuinty:** My colleague knows that we continue to make the appropriate changes to enhance accountability. We've turned our attention more recently to our 615 agencies, boards and commissions. We have decided that the rules that we inherited from the former Conservative government were inadequate, so we have strengthened those. He will know, for example, that we have now banned sole-source contracts for consultants; we've deemed those to be inappropriate. We're also requiring that the Integrity Commissioner review the expenses of our 22 biggest agencies, boards and commissions. That's a practice we've had in place for cabinet ministers, and we now believe that it would be appropriate to put that in place for our biggest agencies, boards and commissions. Finally, we are putting in place mandatory training on the issue of expenses for everybody in the OPS, as well as at our 22 biggest agencies, boards and commissions. We believe those are all positive steps forward.

1040

#### AGENCY SPENDING

**Mr. Tim Hudak:** Back to the Premier about his summer of scandal, like the announcement of the PricewaterhouseCoopers review of eHealth.

The Premier's hastily arranged announcement about the new mandate for the Integrity Commissioner to review expenses of agencies seems more about crafting a political shield for Dalton McGuinty and his ministers to hide behind. We called the Integrity Commissioner's office about their new role, Premier, and here's what they told us: The only thing they've been told is that they'll be responsible for reviewing expenditures and that everything else is "up in the air," that they are still waiting for direction from the Premier's office, and the mandate is yet to be written.

Premier, since you obviously did not consult with the Integrity Commissioner, perhaps you can tell us how many more staff they are going to need in that office to do the job people rightly expect your cabinet ministers to do.

**Hon. Dalton McGuinty:** I'm pleased to say we've had very lengthy conversations with the Integrity Com-

missioner herself and received some very strong guidance. We expect to be introducing legislation very shortly, and I look forward to my honourable colleague's support on the matter of that legislation.

What we are doing, of course, is a very simple matter, but we think it's practical and it will prove to be effective. As it stands right now, all ministers are subject to having their expenses reviewed by the Integrity Commissioner. What we want to do is impose the same requirement on our 22 biggest agencies, boards and commissions at the senior executive level. It has worked well for our government, and I fully expect it will work well for our agencies, boards and commissions, and I'll look for my honourable colleague's support in this regard.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Tim Hudak:** Again, the Premier obviously has no clue how many more staff will need to be hired at the Integrity Commissioner's office.

Let's further examine his so-called plan. Your plan, Premier, as it stands today—what there is of it—is to make a staff of nine in the Integrity Commissioner's office track expenses of what the Canadian Press estimates is some 80,000 agency employees. With one expense report per month, that is approximately one million expense reports to be examined per year by nine people.

Premier, your plan is simply not credible. The Integrity Commissioner's office is going to have to become massive—more people, more space, a new building. Premier, how much more will Ontario families have to pay because your cabinet ministers aren't up to the job?

**Hon. Dalton McGuinty:** I'm not sure where my honourable colleague stands on this matter. Either he's in favour of more oversight or he's against more oversight.

Just to reassure Ontarians, we continue to have good conversations with the Integrity Commissioner. There are some issues associated with resources. We will make sure that the appropriate resources are in there. A lineman, for example, who's working at Hydro One is not permitted expenses, so it's not as if there are going to be tens of thousands of submissions on a monthly basis into the Integrity Commissioner's office. We're more focused at the executive level. We will continue to work with the Integrity Commissioner to make sure we put something forward that is practical, effective, affordable and enhances oversight.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** Premier, we simply disagree. Accountability doesn't lie with the Integrity Commissioner, accountability doesn't lie with the official opposition, accountability does not lie with the media. It rests with the Premier of this province and his cabinet ministers. It appears that the Premier has far more faith in the Integrity Commissioner than he does in his own ministers. What we learned in your summer of scandal is that your cabinet ministers are one sad, sorry lot when it comes to accountability for taxpayer dollars.

When will the Premier put a minister's head on the chopping block? Because I tell you, Premier, that will



send a signal awfully darned quick to the rest of that gang to clean up their act real fast.

**Hon. Dalton McGuinty:** We've taken a number of steps. Again, I understand that my honourable colleague has a decidedly partisan perspective on this, but I think what we have to keep first and foremost in our minds are the needs and the values of Ontarians. My colleague says he doesn't believe that the Integrity Commissioner ought to assume this responsibility, but he was part of the very government that installed the Integrity Commissioner in the first instance and required that the Integrity Commissioner overlook the expenses of cabinet ministers. We thought that was a good idea. We pushed for that particular approach. What we are going to do now is take it one step further and enlist the support of the Integrity Commissioner in helping us to deal with our 615 agencies, boards and commissions where there are tens of thousands of people working. We are in this together, we want to make sure that everybody understands the rules—there will be mandatory training—and yes, the Integrity Commissioner will play a role, but a very important role.

#### TAXATION

**Mr. Michael Prue:** My question is to the Premier. In these tough times people want the government to focus on making life affordable and protecting jobs. Instead, this government's harmonized sales tax scheme will make life more expensive and stifle job growth. Yesterday the Premier claimed that the HST would, and I quote him, "create jobs." But a study sponsored by the chamber of commerce argues, "Sales tax reform will slow employment growth by between 10,000 and 40,000 jobs." How could this Premier have got it so very wrong?

**Hon. Dalton McGuinty:** I hate to break it to the NDP, but they have just got to get with it on this particular issue: 130 countries are there. Every single OECD country is there except the US. You can't get admitted to the European Union unless you are participating in a single value-added tax. Four other provinces are already there. When BC heard that Ontario was going there, they said they have to do it because they didn't want Ontario to get ahead. We have got to give our manufacturers in particular the same leg up they have in all those other countries. My friend deplores what has happened to manufacturing in the province of Ontario, but he is not prepared to do what it takes to put them on a level footing with their competitors around the world. We have got to give them that advantage so they can create those jobs and help us support our families. It is as simple as that.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Michael Prue:** Back to the Premier. What I'm not prepared for is tens of thousands of people in this province not having a job. At a time when people are desperate for jobs, the Premier's reckless sales tax scheme will slow employment growth. The report is quite detailed and you've had a chance now, I assume, to read

in it where the job growth won't be happening: 2,300 fewer jobs in manufacturing every year; 6,500 fewer professional jobs every year. Bear in mind that these statistics are from people who support the Premier's reckless scheme. Will the Premier reconsider his plan?

**Hon. Dalton McGuinty:** We're moving ahead with this. I understand that my friend has a responsibility to point out shortcomings in government policy. We will do our very best each and every day on behalf of the people of Ontario. We do nothing perfectly, and he has got a responsibility to point out imperfections. But on this one he is wrong and we are right. There is an overwhelming consensus among economists and business people, and when it comes to this package of tax reforms, we even have the support of poverty groups and food banks. This is not an easy thing to do but it is the right thing to do. It's the right thing to do for our families, it's the right way to change the foundation of our economy, it's the right thing to do to ensure that we can create more jobs—not just for today but for tomorrow, for our kids—it's the right thing to do to ensure that we have the financial wherewithal to support our schools, our hospitals, our environmental protections and so on and so forth. It is not easy, but my friend knows in his heart of hearts that it is the right thing to do for Ontario.

**The Speaker (Hon. Steve Peters):** Final supplementary?

**Mr. Michael Prue:** If I am wrong, then so is the Ontario Chamber of Commerce, because they are quite specific. If the Premier had read that report, he'd know that the HST will kill up to 40,000 new jobs each year, as they have detailed. He would know there will be 2,300 fewer jobs in manufacture, he would know there will be 2,600 fewer jobs in accommodation and the food service industry, and he would know that there will be 1,100 fewer construction jobs. The Ontario Chamber of Commerce was quite specific. How can the Premier possibly argue that the HST is good for ordinary Ontarians when it makes their life more expensive and makes it less likely that they're actually going to find a job?

1050

**Hon. Dalton McGuinty:** I've answered a number of these questions and I look forward to answering many more, but I think Ontarians can appreciate my resolve and my conviction that this is the right thing to do. But there is a question that remains unanswered: If the opposition is so absolutely committed to opposing the single sales tax in the province of Ontario, if they truly believe it will wreak havoc on families and businesses and our economic future, then why will they not commit to repealing it when it's put in place? I think I know the answer. The reason they will not commit to repealing it is because they know in their heart of hearts it's the right thing to do for our province and our future.

#### AGENCY SPENDING

**Mr. Gilles Bisson:** My question is to the Premier. Over the past while we've been hearing instance after



instance of untendered contracts being let out by OLG, eHealth, and the list goes on. You're saying that you're trying to deal with this. To us what it looks like is that you're really trying to deal with this after the facts. I've got a simple question: My leader asked you yesterday if you would release the untendered contracts to the public of Ontario. My question to you: Will you do so?

**Hon. Dalton McGuinty:** My honourable colleague knows that there is now a new rule in place. We've decided that the rule we inherited is inadequate and unacceptable and is not in keeping with modern public expectation when it comes to transparency and accountability, so we've got a new law in the books. It says that you cannot let out sole-source contracts to consultants. This is a step forward, and we think it's exactly the kind of thing that Ontarians want us to continue to do.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Gilles Bisson:** You know as well as I do that you're still going to have this problem at the end of the day. There are all kinds of situations where untendered contracts have gone out, and the public has no means to take a look at the details. Our research department has written to the various ministries and agencies asking for those untendered contracts. One of them here has some 300 pages of untendered contracts, and they want to bill us \$1,700 for us to get that information. We have another one with 500 pages of information on untendered contracts—\$700; and the list goes on. My question to you is simply this: The public has the right to know. Will you release this information and will you do so without charge?

**Hon. Dalton McGuinty:** There is a freedom-of-information request process. My honourable colleague has access to that, as do the people of Ontario. I would be interested in learning, when he puts in those requests, how many reach back to their time in government, so that we might disclose the untendered contracts that were let at that particular time. What I can say is that we are changing the rules. Rules that were considered to be good enough for the NDP and the Conservative governments are no longer good enough for the people of Ontario. That's why we've changed them and we've banned those kinds of contracts.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Gilles Bisson:** Quite to the contrary, this is happening under your watch. You're the Premier. You're the one who's made the appointments to all of these various agencies. They're your people. So why will you not be held accountable for what was your own decision? I ask you again. You can come clear with this thing quite easily by making sure that the information is made public. We're asking you to release that information and do so forthwith, without charge. Why won't you do that?

**Hon. Dalton McGuinty:** Again, just to recap in terms of the changes we've been making to enhance transparency and accountability: In addition to expanding the ambit of the freedom-of-information request to include Hydro One and OPG, giving the auditor more power to

look at, for the first time ever, universities, schools and hospitals, we abandoned those sole-source contracts. We are giving new authority to the Integrity Commissioner—we will embody that in legislation in a bill shortly to be introduced in this House; we're making training, when it comes to expense claims, mandatory; and we're going to require for the first time ever in Ontario that we post online the expenses of not only cabinet ministers and senior executives in the OPS but also senior executives in our biggest agencies, boards and commissions. Looking at that altogether, it is impossible not to conclude that we have truly enhanced transparency and accountability in the province of Ontario.

#### AGENCY SPENDING

**Ms. Lisa MacLeod:** My question is again for the Premier, and dealing with the expenses of the OLG board. The Minister of Finance is alleged to have ordered the former CEO to fire the chief financial officer and one other person of her choice. In her statement of claim, Kelly McDougald sets out that the minister says, and I quote, "Significant action representative of the accountability required."

Premier, why are the bureaucrats set to a different and higher standard of accountability than your own ministers?

**Hon. Dalton McGuinty:** To the Minister of Finance.

**Hon. Dwight Duncan:** Again, we would have appreciated a question on jobs and the economy from that party, and we will continue to talk. But on the issue of the accountability, the steps that the Premier has announced and the legislation we will be bringing forward do in fact deal substantively with the challenges that have been faced across a number of organizations and across a number of governments.

I remember when I brought forward the legislation to provide freedom-of-information coverage to Hydro One and OPG, for instance. All of the important information that the public got as a result of that helped us to develop these. I would submit, with respect, that any statement of allegations that's made with respect to the circumstances at OLG is just that, and we will vigorously defend the taxpayers of Ontario in a court of law.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Ms. Lisa MacLeod:** If he wants to start defending the taxpayers of this province, I'd say start with an apology and start by giving them their money back that you have mismanaged and misspent.

This is about a double standard of the Premier and his ministers, it's about accountability, and it's about really tackling the runaway spending that we've seen under this government.

I'm going to ask the Premier again, will he put an end to the double standard and will he take "significant action representative of the accountability required" of his ministers?

**Hon. Dwight Duncan:** The only double standard is the way the Tories conducted themselves in office and



what they say now. The double standard is related to expenses on your watch at agencies like Hydro One and OPG and what we do now. The double standard is the degree of accountability that this government has brought forward over the last six years that was not only not adopted, but was outright rejected by that party in the past.

This government and our Premier have moved responsibly to enhance accountability for all Ontarians. We will be bringing forward legislation to implement those measures. We look forward to the opposition's support of that very important legislation, which provides much-enhanced accountability to taxpayers across Ontario.

#### AUTOMOBILE INSURANCE

**Mr. Michael Prue:** My question is to the Minister of Finance. A recommendation contained in the Financial Services Commission of Ontario's—FSCO's—five-year auto insurance plan review would slash insurance payouts for serious car crash injuries by 75%. This recommendation would lower the \$100,000 cap on non-catastrophic injuries to \$25,000. It would impoverish victims, push health care costs on to the taxpayer and enrich the insurance industry.

On June 4 in this very House, the minister said his response would take place by the end of June. It is now mid-September. Will the Minister of Finance stand in this House today and make it clear that he rejects that recommendation?

**Hon. Dwight Duncan:** Our government engaged in, I think, perhaps the most vigorous public consultation around the future of insurance premiums since a previous government decided not to make auto insurance a public corporation. That yielded enormous good advice from a range of quarters that we have spent the summer analyzing and, indeed, having further meetings on. It was our intention to bring forward recommendations by the end of June. We decided to take the summer and a little bit more time still to review all of the recommendations that we've had from a variety of stakeholders to ensure that we can continue to offer Ontarians the assurance that insurance premium rises will be kept modest. I'll remind the member opposite that premiums for auto insurance are still 4% below where they were when this government took office in 2003.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Michael Prue:** If implemented, this would seriously damage the quality of rehabilitation services provided to accident victims in this province. To quote Dr. Peter Rumney, senior physician director of rehabilitation and complex continuing care at Bloorview Kids Rehab, "It is a huge step backwards. The proposed \$25,000 cap for rehab services for 'non-catastrophic' claims would, in most cases, be exhausted in three months."

When will this minister start listening to the experts and not the insurance companies and make it clear that this government will reject this mean-spirited recommendation by FSCO?

1100

**Hon. Dwight Duncan:** In fact, we have listened to the experts from across a variety of stakeholder groups, including those involved in the treatment of catastrophic accidents. I'll remind the member opposite that in fact auto insurance premiums are 4% lower today than they were when we took office some six years ago.

What we know is this: The reforms we brought forward way back in 2003 in Bill 5, which led to this decrease, that member and his party voted against. I'll remind him, when they were in office auto insurance premiums over five years went up 20%.

I am determined not to make the mistakes that member and his party made. I am determined to continue to protect consumers, and we will come forward with a package of amendments and reforms—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question?

#### TAXATION

**Mr. Bob Delaney:** My question is to the Minister of Revenue. Minister, in the by-election to be held on Thursday of this week, comments made by the Conservatives have raised some concerns for me, for the people in that riding and for my constituents in western Mississauga.

Renters are hard-working people. They don't like to hear their important contributions to their community denigrated by fearmongering and they don't need to have their intelligence insulted.

The Conservatives have been telling voters that the single sales tax, a part of Ontario's comprehensive package of tax reform, is going to be applied to residential rental fees. People understand that rental fees are not currently charged any GST and that items that are not charged GST will not be charged the single sales tax. Will rental fees be subject to the single sales tax?

**Hon. John Wilkinson:** I want to thank my colleague for the question. We are going to reform our tax system. We're going to drag it out of the 20th century, put it in the 21st century and create the jobs that we need for this province. We are not going to broach allegations based on misinformation. So that everyone in this House can be clear, there is no GST applied to rent and, as a result, when we harmonize our sales taxes, there will be no HST applied to rent.

Now, that said, it is important that we hear the whole story. It is true that there are some services that HST will apply to, and that's why it's so important that people across Ontario understand the other part of our reform package, how we're reforming the income tax system in this province. We know that businesses in the Atlantic provinces passed on the savings to their consumers in a highly competitive market. And in the province of Ontario, when it comes to rent, it is—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Bob Delaney:** The Conservatives in Thursday's by-election piously claim that they're standing up for



low-income renters and seniors. That is, for the record, the very same Conservative Party that voted against the Residential Tenancies Act, which regulates rent increases, and this is the very same Conservative Party that voted against any investments in rent banks and affordable housing units.

Our province is better off for our investment in affordable housing and for maintaining our existing stock. All Ontarians will continue to benefit as well, despite the opposition of the Conservatives to building and maintaining affordable housing.

Minister, the opposition is saying that Ontario's comprehensive package is going to harm low-income renters and seniors. Would you care to comment on that?

**Hon. John Wilkinson:** Those who understand the 2009 budget that was presented in March by my colleague Minister Duncan understand that over the next three years, we'll be providing some \$15 billion worth of tax relief. What does that mean for renters? First of all, if a renter currently qualifies for the GST rebate, for example, that would provide a maximum of \$240 a year tax free. Our proposals will increase that by an additional \$260 a year, tax free, for every person in that household, whether adult or child—much more generous than the federal government.

As well, we're enhancing the property tax credit, particularly for seniors, and we have a series of tax credits that will make sure that people who can afford this the least will not bear the heavy load.

But it is important that we always remember that our number one priority here is to ensure that there are jobs in the 21st century in this province. There should be no doubt that we will—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### AGENCY SPENDING

**Mr. Norm Miller:** My question is for the Minister of Finance. Minister, it appears the newest growth industry in the McGuinty government is the Integrity Commissioner sector.

Before the summer of scandal began, the Liberals were trying to tell us that the eHealth scandal was the exception to the rule. As we're seeing time and again, though, the message track keeps changing. Now the Minister of Finance tells us OLG expenditures are "just the tip of the iceberg." Can Minister Duncan tell us what he meant, or will we have to FOI that as well?

**Hon. Dwight Duncan:** This government and party are committed to the maximum accountability and transparency not only of the government and its ministers, but of its agencies, boards and commissions.

We have provided freedom of information to a range of institutions that your government, sir, did not want to do. In fact, you said you didn't want to do it; you opposed it.

We've taken steps over the course of the last several weeks to give greater accountability and greater trans-

parency to those agencies, boards and commissions, and I look forward to the support of that member and his colleagues for the legislation our government will bring forward to further enhance that accountability and transparency.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Norm Miller:** Well, I'll put this question to the minister: The FOI for OLG produced five binders and thousands of pages relating to the spending excesses of 40 executives. Liberal appointees travelled to California and Las Vegas to take limousine rides and eat steak and seafood paid for by the taxpayers. It's the minister's agency. When will he take responsibility and release all the information, including untendered consultant contracts?

**Hon. Dwight Duncan:** We released the information with respect to expenses, and we will be releasing the information with respect to other aspects of FOIs that have been received, as I understand it, from a variety of sources with respect to OLG. That's what accountability and transparency is all about. That's why this government applied it to Hydro One and OPG. That's why the Premier took the steps that he did just yesterday to ensure still greater accountability and transparency.

I welcome your questions. I welcome your interest in that transparency and accountability and I particularly welcome the strong initiatives undertaken by our Premier and our government to further improve accountability and transparency for all agencies, boards and commissions in the province of Ontario.

#### TAXATION

**Mr. Paul Miller:** My question is to the minister responsible for seniors. Over this summer, I spent a lot of time meeting pensioners across this province. Wherever I went, I heard opposition to the government's harmonized sales tax grab. Seniors know they'll be hit especially hard. Most are on fixed incomes, but they'll be paying 8% more for some things like home heating and hydro, 8% more for something as simple as a visit to the hair salon, 8% more for a cup of coffee, 8% more for end-of-life planning.

How can this minister allow her government such callous disregard for the financial plight of Ontario's seniors?

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. M. Aileen Carroll:** I'm going to refer this question to the Minister of Revenue.

**Hon. John Wilkinson:** Thank you to my colleague and thanks to the member for the question.

It's important that seniors understand that they have been hearing one side of the story. They've been hearing but one side of the story. On our side of the House, it's important for us to tell people the entire story.

I want to say to seniors, particularly, that we understand your concerns, and if you have an opportunity to see the budgetary measures that we have proposed, you



will see that we have taken special care to ensure that seniors on a fixed income, those who can afford a new consumption tax the least, will receive the greatest benefit, and that for many seniors, they will actually be put into a better position.

1110

Despite what my opponents are saying, we've decided on this side of the House that we must modernize our tax system to ensure that we have a vibrant economy that supports the services that seniors value the most—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Paul Miller:** Minister, your \$1,000 won't cut it for the next 40 years.

The minister ought to know that seniors are mobilizing against your government's tax grab. The Canadian Association of Retired Persons has launched a campaign against the HST. Thousands of Ontario seniors have already signed on, and they don't believe the minister's line that they'll be better off. They won't be. They know it. I know it. Everybody else knows it. The HST will cost seniors more each and every day for the rest of their lives. When will this minister finally withdraw it?

**Hon. John Wilkinson:** On this side of the House, we will modernize our tax system, and we will ensure that it is fair, particularly to seniors. That's why we've included so many permanent income tax cuts. I can say to seniors that on the first \$37,000 worth of their income, we are lowering it. I can say to seniors today who receive the GST rebate that that will be substantially enhanced. I can say to seniors who are tenants or own a house that we are more than doubling the Ontario property tax credit. All of those things will benefit seniors.

They will come, but understand that in the first year, this will be a year of transition. We have secured a historic agreement with the federal government to allow in that first year additional money to help seniors, and all of us in Ontario who qualify, get used to this new system. But that is a new system that we need to have so that we have a vibrant economy to support the public services that seniors care about the most: public health care.

## ONTARIO ECONOMY

**Mr. Jeff Leal:** My question is to the Minister of Finance. There have been a lot of reports, certainly reports from my riding of Peterborough, regarding the economy lately. Some economists have been suggesting they we are reaching or have just recently reached the low point. Jobs data has been positive for Ontario over the last few months. While large gains have not happened, there is a small trend developing. What is the outlook for Ontario at this point in providing an update of where we stand today?

**Hon. Dwight Duncan:** I want to thank the member for asking the question about jobs and the economy, particularly a question that's important to unemployed Ontarians, who have experienced the worst of the global economic downturn.

There is no question that the last year has been difficult for economies around the world, and continues to be. We are beginning to see positive signs in the economy of real growth, but I remind the member from Peterborough that there tends to be a lag in job growth and government revenues when growth returns to the economy. There is some question as to how quickly that will return. What we do know is this: The policies we are pursuing with respect to tax reform, which will lower taxes for Ontarians, which will encourage investments in jobs, are the right policies to pursue, and I look forward to the member's supplementary to address the question of how to get this economy moving in more detail.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Jeff Leal:** While there seems to be very little consensus, there's been talk about stimulus spending and how it has helped the economy: Have measures that we have put in place been effective? Have we done enough stimulus? And what other measures have we put in place—and I know this program has helped tremendously the citizens in my riding of Peterborough.

**Hon. Dwight Duncan:** The member for Peterborough is right: We have invested \$34 billion in short-term stimulus, including \$32.5 billion in infrastructure—almost 3% of our GDP, which was more than the amount recommended by the International Monetary Fund. These investments are extremely important. They've benefited Peterborough, and I congratulate the member for his good work on a range of projects that went into Peterborough. Without his insight and advice, we couldn't have made those important investments.

The times call on governments to take bold moves to ensure growth in the future. Our stimulus and infrastructure is about the short-term, the tax reform package—the right package to create jobs, to create investments, that economists like Hugh Mackenzie have applauded. These are the right policies to create jobs for our grandchildren and children, the right policies for a brighter future.

## HORSE RACING INDUSTRY

**Mr. Garfield Dunlop:** My question is on jobs and the economy, and it is to the Minister of Agriculture, Food and Rural Affairs. Minister, you are aware that the primary reason slot machines were allowed to be placed into Ontario racetracks was to enhance the racing industry, which in turn would improve agriculture and the economy of rural Ontario. Some 65,000 men and women work in the racing industry in Ontario.

Over the past three years, we have seen a decline in racing dates in Ontario. For example, this past January and February, no racing dates took place at Georgian Downs, but the slot machines remained open seven days a week, 24 hours a day. The horses still have to be fed and trained, and the stables have to be maintained.

Minister, will you commit today to reversing this reduction in racing dates policy and work to improve the racing industry and the economy of rural Ontario—which



of course, in fact, means jobs for farmers in rural Ontario?

**Hon. Leona Dombrowsky:** To the Minister of Finance.

**Hon. Dwight Duncan:** Mr. Speaker—

**Mr. John Yakabuski:** We ask for hay, and what do we get? Manure.

**The Speaker (Hon. Steve Peters):** I ask the honourable member from Renfrew–Nipissing–Pembroke to withdraw that last comment, please.

**Mr. John Yakabuski:** Withdraw.

*Interjections.*

**Hon. Dwight Duncan:** I take it that it's a laughable matter for members of the Tory caucus.

We think that the income—and I appreciate the member's question—generated from the operation of slots into rural Ontario has been a successful and important program, and we will continue that.

We will continue to work with the horse racing industry. I've met with representatives of the industry as well as the riders and those in rural Ontario who benefit from this. We will continue to work with them to ensure that at this difficult time in the economy, at a time when revenues are down in many quarters, that this successful program continues to operate. I look forward to that member's input into this, and we'll continue to work with the industry on this very important program.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Garfield Dunlop:** First of all, I'm very disappointed that the Minister of Agriculture didn't answer this question.

We have now learned that the operators of Georgian Downs and Flamboro Downs have applied to the Ontario Racing Commission to have no racing dates for six months of the year and to reduce and condense the racing dates to 100 racing dates per year.

For example, Georgian Downs racing dates have been reduced from 130 days per year three years ago. Under the new application, they want to go to 100 racing dates. At the same time, Georgian Downs has increased the number of slot machines from 451 to 1,000. That was Ms. McDougald's last day on the job, I believe. Flamboro Downs racing dates have been reduced from 225 days per year to 100 racing dates under the new application.

Minister, these changes are having a very negative impact on the racing industry. Will you commit today to increasing the number of racing dates in proportion to the number of slot machines—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Dwight Duncan:** We will continue to work with the industry to maximize the benefit to local communities, particularly the rural communities, from this important program. There is no question that revenues are under pressure. There is no question that horse racing has been under pressure for some years.

I think the member knows that there is no easy answer to the challenge there, but this government remains committed to working with the horse racing industry to ensure and help sustain that important component of income for Ontario's rural communities. We are committed to that, we continue to work with them, and we look forward to the member opposite's participation in that discussion.

## TAXATION

**Ms. Cheri DiNovo:** My question is to the Minister of Housing. Everyone knows that the HST will drive up rents; even, apparently, the Liberal candidate in St. Paul's. The Liberal candidate has promised to protect tenants from increases caused by the HST, but the McGuinty government contradicts him. Will the government commit to protecting tenants, or is their candidate making a promise he has absolutely no intention of keeping?

**Hon. Jim Watson:** Well, I was actually out in St. Paul's with Dr. Eric Hoskins, who is going to be an excellent member of provincial Parliament come this Thursday. Because the people out there are not being fooled by the misinformation of the NDP; they know full well that when the NDP were in power, the average rent increase over a five-year period was 27%, and under Premier McGuinty's government, the increase has been 14.4%. The highest increase by party in the last 20 years was the NDP at 6%.

1120

The people of St. Paul's are going to—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. I would really appreciate it if the honourable members on the government side wouldn't shout down their own ministers when those ministers are answering.

Supplementary.

**Ms. Cheri DiNovo:** The Minister of Housing makes some very compelling reasons not to support the Liberal MP Bob Rae—we don't intend to—but he didn't answer the question. The government's HST scheme will hit tenants hard. The government's candidate is promising to protect tenants from rent increases, but the government refuses to make that commitment. The NDP candidate, Julian Heller, was ready to talk about this at two all-candidates debates this week. Your candidate didn't even bother to show up.

The minister can clear this up today. Will he commit that no tenants will face higher rents thanks to his HST scheme or not? Or will he admit that his candidate is making promises that he has absolutely no intention of keeping, as I asked?

**Hon. Jim Watson:** As I was going around the riding of St. Paul's, I noticed the signs for the NDP. They're so faded. This candidate has been recycled so many times in that riding that people are going to say enough—

**The Speaker (Hon. Steve Peters):** Stop the clock. I would say to members on all sides that I do recognize



that there is a by-election going on, and it would be nice to have that not debated in this chamber. We've seen questions from both sides of the House, so we can't accuse one side or another. There have been questions. I'm going to move on to a new question.

### GREENBELT

**Mr. Kevin Daniel Flynn:** I've got a question for the Minister of Municipal Affairs and Housing. It's nearly five years ago that the Greenbelt Act was proclaimed into law. We all know it protects 1.8 million acres of green space all across the greater Golden Horseshoe. Since this time, the plan has received several awards of recognition, including the Canadian Institute of Planners award for planning excellence in 2007, and that was in the category of environmental planning. This distinction, along with countless others, is a testament to the forward-thinking and comprehensive nature of this act. In my riding of Oakville, many residents enjoy the recreation and the culinary offerings the greenbelt has to offer, so I'm extremely proud of the plan.

Minister, as you know, the Greenbelt Act requires a review of the plan every 10 years to determine whether it needs to be revised or updated. We're approaching the halfway point. Could you please update the House on the progress and the achievements of that greenbelt plan to date?

**Hon. Jim Watson:** I think all members of the Legislative Assembly should be very proud of the greenbelt and the legacy of the greenbelt. This February will mark the fifth anniversary of the greenbelt legislation protecting 1.8 million acres of green space in perpetuity.

The David Suzuki Foundation, for instance, has estimated that the greenbelt is providing approximately \$2.6 billion per year in ecological services and benefits, costs that would otherwise be carried by the taxpayers to clean water, scrub emissions going into the air and artificially pollinate crops.

We are committed to doing the 10-year review, but one thing is certain: Under the leadership of Premier McGuinty and this government, we will not be shrinking the greenbelt. The greenbelt is here to stay in perpetuity because it provides such great resources from an agricultural, economic and cultural point of view. We're very proud of the greenbelt and we encourage all members to support and promote the greenbelt in their communities.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Kevin Daniel Flynn:** It's clear that the hard work of that ministry has paid off. The implementation of the greenbelt, I think by all accounts, has been extremely successful. However, the needs of this area, the greater Golden Horseshoe area, over the coming years are going to evolve as that region grows. As a result, the greenbelt plan is going to need to evolve as well. Municipalities need help as they plan for growth while at the same time they want to continue to protect and be a part of the greenbelt.

You've already mentioned, Minister, that your ministry is going to help municipalities bring their official plans into conformity with the greenbelt. I'd like to know what else you're going to do to ensure that both municipalities in our region and the greenbelt can continue to grow in a responsible manner.

**Hon. Jim Watson:** I thank the honourable member, who is a great defender of environmental initiatives in his own community of Oakville.

*Applause.*

**Hon. Jim Watson:** He deserves that applause.

Before implementing any new infrastructure or adding to existing infrastructure, a public consultation and thorough environmental assessment would take place. These would ensure that social, environmental and economic impacts are minimized and that they serve the overall objectives of the greenbelt. The Greenbelt Act allows us to expand the area to protect land outside the existing greenbelt and ensure the best possible decision-making with regard to the land we protect. We'll thoroughly consult municipalities, the Greenbelt Council, ably headed by Dr. Robert Elgie, aboriginal communities and the public.

Further to this, the act does not allow for the total area of the greenbelt to be reduced. We've received two requests from municipalities to grow the greenbelt since 2007, and I look forward to working with those municipalities to protect Ontario's natural landscape.

### GOVERNMENT SERVICES

**Mr. John O'Toole:** My question is to the Minister of Government Services. Minister, private issuers of licences and vehicle registration offices employ 1,300 people and perform 90% of the vehicle-related transactions in Ontario. Your government is rapidly closing an estimated 65 to 70 of these small businesses that provide a vital service to Ontario. In many cases, you're terminating services provided efficiently by small business over the last 100 years. Local licensing offices in communities like Whitby, Peterborough, Lindsay, Pembroke, Hearst, Cochrane, Kapuskasing and many others will be closed. This summer, the member from Leeds-Grenville was first to alert his community to the closing of vehicle licensing offices in Brockville.

Minister, why are you rushing to terminate these successful small businesses in rural and small-town Ontario?

**Hon. Harinder S. Takhar:** Let me thank the member for asking this question, and I also welcome him to his new role as well.

Let me tell you what we are really doing. We will continue to provide high-quality customer service to Ontarians by streamlining and modernizing the way we offer services. By December 2010, the Ontario government will provide one-stop shopping for expanded services such as health cards, drivers' licences and vehicle licence services, through ServiceOntario centres, under one roof. What will that do? Ninety-five per cent of all Ontarians will have access to expanded services within



10 kilometres. Over 18 months, access to health cards will expand from 27 OHIP offices to about 300 ServiceOntario centres. In rural communities—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. John O'Toole:** Minister, you can use all the terms, "streamlining," etc. It's diminished services for the people of Ontario. Revelations about the spending at eHealth and QLG have shaken the public's confidence in your government's ability to spend taxpayers' money wisely. Spending is so badly out of control that your multi-million dollar sales tax grab is another example of a failed plan.

Minister, is your commitment to cancel this scheme? Why would you not stand up today and say that you will take your time before you kill these small businesses in rural and small-town Ontario?

**Hon. Harinder S. Takhar:** I used to be the Minister of Small Business, and I'm now into the new job, so I'm very much aware of the contribution that small businesses make to this province. But this is about improving service, and we are absolutely determined to do that. The facts will speak louder than what they are saying.

In rural communities right now, access to health card services will expand from two locations to 163 locations. In northern communities it will increase from six locations to 67 ServiceOntario centres. We are expanding services, and a private-issuer network is an integral part of what we are planning to do. Two thirds of all service centres in Ontario will still be private, and I will be the first one to say they provide outstanding service to Ontarians. We will continue to use their talent as we move forward.

1130

## GOVERNMENT SERVICES

**Mr. Gilles Bisson:** A follow-up question on the same issue to the same minister: In Kapuskasing, they were advised on July 23 that their particular office would be closed so services could be delivered through ServiceOntario. They don't like it, but they've accepted the decision. The chamber of commerce of Kapuskasing tried to stop it; your government decided to continue. They're not happy with it, but they're accepting the decision.

They're asking you one simple thing—and I want a yes or no that you're going to do it today. There are two employees who worked at the chamber of commerce who have been there for a number of years. They're knowledgeable about the processes of issuing plates and licences. Will you ensure that those people get hired on by ServiceOntario and maintain their work?

**Hon. Harinder S. Takhar:** I want to thank the member, as I did previously to the other member, for asking this question. The member is very much aware how we fill jobs within the Ontario public sector. We will encourage those employees to apply for all the jobs that will become available and we will look into their skills and talents and do whatever we can do to accommodate

them within the vacancies that will be available in northern Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Gilles Bisson:** Skills and talent? They've been doing it for the past 12 years. Don't you think they know how to do the job? Do you really think they're not able to do it with ServiceOntario? We're asking for something simple. These people have worked for the chamber of commerce for a number of years. They're knowledgeable about the process of what they need to do to issue plates to drivers across the Kapuskasing area. The chamber of commerce is asking you, "If you're going to shut us down, at the very least offer the jobs to the people who did it rather than going to somebody new."

I'm asking you very simply: Will you say yes? If you're hiring additional people in the Kapuskasing office to do this work, hire the workers who worked at the chamber of commerce of Kapuskasing.

**Hon. Harinder S. Takhar:** I think I answered the question already. There's a process to apply for government jobs. I will encourage these employees to apply for the government jobs. They will go through the process. If they have the right skills, talents and qualifications, along with the other people who will apply for the jobs, they will get hired. That's the process that we go through. If we do anything else, then they will say, "This is what you are doing." It doesn't matter whatever we do—we want to make sure the process is followed.

## ABORIGINAL ECONOMIC DEVELOPMENT

**Mrs. Carol Mitchell:** My question is for the Minister of Aboriginal Affairs. This government has been working very hard to improve the quality of life for First Nations and Metis communities across this province. Since your ministry was created in 2007, aboriginal economic development and sustainability has been a key priority. Funding First Nations economic development is one of the components of the \$3-billion First Nations gaming revenue-sharing agreement, as well as part of the \$30 million set aside for developing a framework for resource-benefits sharing. Creating opportunities for First Nation and Metis economic development is also a key component of the new relationship fund.

Minister, can you tell me what else this government is doing to support economic development for aboriginal people and communities in Ontario?

**Hon. Brad Duguid:** I understand how important economic development is to First Nation and Metis communities, and we all want to see them prosper. That's why my ministry is working on a number of initiatives to increase and support increased aboriginal economic development across the province.

For example, we're currently developing a provincial aboriginal economic development strategy in conjunction with First Nation and Metis leadership and organizations, a true partnership to support economic opportunities and sustainability for aboriginal people in Ontario. As part of



this strategy, this winter we'll be working with our aboriginal partners, Chiefs of Ontario and Indian and Northern Affairs Canada to co-host the first-ever Ontario First Nations economic forum—the first time ever. This forum is designed to help First Nation people and communities find opportunities in economic development and sustainability.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Carol Mitchell:** Thank you for the answer, Minister. The McGuinty government is certainly moving forward on many fronts to improve the participation of First Nation and Metis communities in economic development initiatives. This September, our government announced two green energy programs that will help aboriginal people and communities participate in green energy projects. Minister, how will these programs help build economic sustainability in our aboriginal communities?

**Hon. Brad Duguid:** That is indeed a very good question and I thank the member for it. The McGuinty government is moving forward on many fronts to improve participation of First Nation and Metis communities in mining, forestry, green energy and other areas. This summer, we launched two new programs: the \$250-million aboriginal loan guarantee program and the aboriginal energy partnerships program. These programs will help First Nation and Metis communities interested in developing and owning renewable energy facilities.

I think we all on this side of the House understand the importance of economic development to First Nation and Metis communities. We look forward to hearing more innovative ideas on how First Nations and Metis communities can participate in and benefit from green energy projects.

**The Speaker (Hon. Steve Peters):** The time for question period has ended. This House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1136 to 1500.*

## INTRODUCTION OF VISITORS

**Mr. Reza Moridi:** I am pleased to introduce my guests from Richmond L'Arche Daybreak in Richmond Hill, who are sitting in the members' gallery: Carl MacMillan, Kim Lageer, Darryl Dickson, Amanda Winnington-Ingram, Kara Tigchelaar, Lorenzo Sforza-Cesarini, Gordon Henry, Tom Krysiak and Francesca Lobner.

**Mr. Dave Levac:** I would like to ask for a moment while my colleague finds his seat in order to introduce the very special guest we have in the gallery today. Thank you for the indulgence, Mr. Speaker.

**The Speaker (Hon. Steve Peters):** A nice Wayne Gretzky style of dragging the puck. The honourable member from Davenport.

**Mr. Tony Ruprecht:** Thank you very much, Mr. Speaker. I had planned to make the introductory remarks of the Consul General of Mexico and members of the consulate in my remarks, if you don't mind. Thank you.

## MEMBERS' STATEMENTS

### TOWNSHIP OF NORTH FRONTENAC

**Mr. Randy Hillier:** The township of North Frontenac is seeking and requesting the necessary legislation to create a single-tier municipality.

On August 27 this year, they sent a letter to the Premier and the Minister of Municipal Affairs and Housing. In it, North Frontenac identified a lengthy list of legitimate grievances regarding the operation of Frontenac county and also the relationship between their township and the other municipalities that make up Frontenac county.

The creation of a new, single-tier municipality is the solution. The Premier once said, and promised, that he would support the amalgamation if that is what the people wanted. North Frontenac council has requested a binding referendum on this subject in next year's municipal election. I expect the Premier and his minister to uphold their words, respect local democracy and commit to this most reasonable request and referendum.

### L'ARCHE DAYBREAK

**Mr. Reza Moridi:** In my role as the MPP for Richmond Hill, it is my privilege to have the opportunity to become familiar with organizations which are providing extraordinary services to their community. I recently enjoyed an inspiring visit to L'Arche Daybreak, which is located in the town of Richmond Hill.

Today, L'Arche has become one of the most innovative social movements in the world, with 135 communities in over 30 countries. Many of you know of Jean Vanier, the acclaimed Canadian who in 1964 founded the original L'Arche community in France.

Recognizing the need for such a community in Richmond Hill, Steven and Ann Newroth started L'Arche Daybreak in Richmond Hill in 1969. With that, the second L'Arche community was born. I am proud to introduce L'Arche Daybreak executive director Carl MacMillan, sitting in the members' gallery, who has joined us today in the Legislature.

L'Arche Daybreak is a dynamic example of how people of different intellectual capacities, social origins and culture can live and learn together.

As Jean Vanier stated, "The belief in the inner beauty of each and every human being is at the heart of all true education, and at the heart of being human."

I salute L'Arche Daybreak on their 40th anniversary.

### GOVERNMENT SERVICES

**Mr. John Yakabuski:** Since my election to the Legislature in 2003, one of the many things I've fought for was the issuing of health cards through driver's licence bureaus. The idea that seniors living in Whitney, for example, would have to get to Pembroke to have their



new health card issued was ridiculous. When the government recently announced that licence bureaus would now be able to issue them, I was pleased to say, "Yes, finally."

My sense of victory was short-lived. We found out that the Minister of Government Services went on to announce that he would be closing many of the privately operated licence offices. In my riding of Renfrew-Nipissing-Pembroke, the offices in Pembroke and Renfrew will be closed, effective early next year.

What was the minister thinking? He should be well aware that the most efficiently run licensing offices are privately operated. His plan would see a reduction in service, at a higher cost to taxpayers, from his government-run offices.

Auto dealers are livid that he would opt for this idea. Two hard-working entrepreneurs, Belinda Goddard and Garry Cotnam, met with me to let me know that the minister's action will result in their employees being left without work. They lose their jobs, and their communities get less service.

This is unacceptable. It is time that the minister rescind this closure plan and stop this attack on small-town Ontario.

#### LAKESIDE STEEL

**Mr. Peter Kormos:** I am grateful for the invitation I have received to attend the 100th anniversary celebration of Lakeside Steel in Welland on Wednesday. Regrettably, I can't be there because of course the Legislature is sitting.

Lakeside Steel—Page-Hersey—was built in 1909, located in Welland because amongst other things there, it is on the canal and you've got cheap electricity. That was the draw for Lakeside Steel—Page-Hersey—back in 1909.

I want to commend the management at Lakeside, who have done a very difficult job of keeping that company alive during very difficult times when the company has received little support from governments and indeed is the victim of the importation of cheap pipe.

Most importantly, while I commend the management, I want to applaud and express gratitude to the workers: skilled workers, hard-working people, members now of the CAW. Formerly, it was one of the old UE plants in Ontario. These workers work hard at a job that can still sometimes be dangerous. Over the course of that last 100 years, there have been generations of hard-working women and men at Page-Hersey, many of them new immigrants, many of them illiterate in their own language. Imagine how frightening it would be for them to come to Canada. But they worked hard. And unlike them, their kids, because of the hard work of their parents—and mind you, Page-Hersey and Lakeside provide jobs, but those workers provide profits. Because of that hard work, so many kids got to university who wouldn't have otherwise.

Congratulations to Lakeside and its employees.

#### HURON CENTRAL RAILWAY

**Mr. Michael A. Brown:** Earlier this summer, the Huron Central Railway announced that it would cease operations between Sault Ste. Marie and Espanola on August 15, and Espanola and Sudbury on October 15. This 300-kilometre railroad is a significant transportation asset. The railroad is a major carrier for Essar Steel, Algoma and Domtar Espanola, among other shippers.

On July 14, I attended a meeting with representatives of shippers, First Nations, municipalities and contractors, under the capable chair of Soo CAO Joe Fratesi. Out of that meeting, a small group was chosen to open a conversation with Huron Central.

An agreement was reached with Huron Central on an interim basis. The major shippers and the city of Sault Ste. Marie are assuming responsibility for a share of the package. I am pleased to report that the Northern Ontario Heritage Fund Corp. board has approved \$1.5 million for short-term funding to improve the infrastructure. This has been matched by the federal government.

The interim arrangement will keep Huron Central Railway operating until August 2010. Tomorrow, the large group will meet again to work out a long-term solution for rail service. I will continue to work with our partners to ensure a solution for this important transportation option.

1510

#### GOVERNMENT SERVICES

**Mr. John O'Toole:** I'm pleased to join the member from Renfrew-Nipissing-Pembroke, as well as the member from Timmins-James Bay, who have spoken on this very issue of the 300 offices of private issuers networks that provide an essential and effective service to the drivers and businesses in many communities in Ontario.

This is a concern amongst many communities over this government's forced and hasty plan to close about 70 offices. Offices in communities like Peterborough, Whitby, Lindsay, Brockville, Pembroke, Hearst, Cochrane, Kapuskasing, New Liskeard and many others are examples of these offices that are being threatened.

This secret scheme was unleashed during the summer when many citizens were not paying close attention to government business. In doing this, the government is acting without effective consultation with communities or explaining the motive or the cost to the taxpayers of Ontario. To my knowledge, the government has not sought advice from the private issuers networks that have successfully served their communities, in many cases, for a hundred years. In fact, many have said they were forced to sign a gag order as a condition to receive the information.

I would expect they would, at the very minimum, resume consultations with the people of Ontario. But really, the longest-range plan here should stop immediately, this forced plan of closing and harassing small-town and rural Ontario. This simply is not fair and I ask the minister to respond.



## STUDENT ACHIEVEMENT

**Ms. Sophia Aggelonitis:** We know that in order to compete with the likes of India and China, we need to give our students the proper skills and training that will ensure success in the 21st-century, knowledge-based economy. That is why we have introduced new programs to better engage high school students right across Ontario. We have already seen the success of this strategy with high school graduation rates increasing from 68% to 77% since 2003.

The aviation and aerospace specialist high skills majors highlighted last week is the latest initiative, and it allows students to customize their high school experience across a variety of subjects. I was proud to be at the unveiling last week in Hamilton with Minister Wynne, as well as with the director of education for the Hamilton-Wentworth District School Board, John Malloy, and the president and CEO of the John C. Munro Hamilton International Airport, Richard Korocil, announcing that students of Ancaster High School will be some of the first in the province to be offered this new major.

These specialized majors will allow students to pick courses that match their strengths, interests and career goals. We believe that engaging programs will prepare our students for future success, and we will continue to work hard to ensure all students reach their full potential.

## MEXICAN INDEPENDENCE DAY

**Mr. Tony Ruprecht:** One hundred and ninety-nine years ago an important event took place in the history of mankind: The independence of Mexico began with a cry of patriotism that is now being repeated in every town and in fact in every village of Mexico. Tonight, the President of Mexico will repeat and re-enact this event by the great patriot Mr. Hidalgo, who began the fight for the independence of Mexico.

And as we today have hoisted the very important flag of an independent Mexico in front of this Legislature, we are of course reminded of the great tribulations, the great suffering and the great problems the Mexican people went through in terms of finding their own place in and for independence.

To celebrate this event, Mr. Speaker, I am delighted to introduce to you and to this House the consul general of Mexico and some of his staff, Mr. Carlos Pujalte, and I say to him in Spanish—

*Applause.*

**Mr. Tony Ruprecht:** We're reminded of the Pan Am games when I'm thinking of the consul general and his staff, but I say to him in Spanish [*Remarks in Spanish*].

## CANADIAN JEWISH CONGRESS

**Mr. Mike Colle:** In Hebrew, I say shalom to the executive of the Canadian Jewish Congress: President Mark Freiman, CEO Bernie Farber, national executive director Benjamin Shinewald, director of public affairs

and communications Jordan Kerbel, and from the UJA Federation of Greater Toronto, director of public policy Stephen Adler. Our guests join us today to celebrate the 90th anniversary of the Canadian Jewish Congress, one of Canada's iconic humanitarian advocacy organizations.

Founded in 1919, the Canadian Jewish Congress provides a united voice for the Canadian Jewish community and has since become a leading advocacy organization for the Jewish community across Canada. Throughout its history, the CJC has intervened in vital human rights and war crime trials, educated young students about the dangers of hatred and stereotypes through the Choose Your Voice campaign and advocated for an end to the humanitarian crisis in Darfur—in fact, we had a green ribbon campaign launched here in 2006 to symbolize the need to do something about the Darfur disaster.

The CJC remains focused on making Canada and the rest of the world a better place for all, ensuring that future generations will only be exposed to crimes against humanity by reading about it in their textbooks. It's no surprise that the Canadian government has officially designated the founding of the CJC as a significant historical event in Canada.

Please join me in saying mazel tov and congratulating the Canadian Jewish Congress on its 90 years of extraordinary work and advocacy, and join us all later in the dining room at 5:30 when the Premier and this Legislature mark this auspicious 90th anniversary. Mazel tov.

## MOTIONS

## COMMITTEE MEMBERSHIP

**Hon. Monique M. Smith:** Mr. Speaker, I seek unanimous consent to put forward a motion regarding standing committees' membership.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Monique M. Smith:** I move that the following changes be made to the membership of the following standing committees:

On the Standing Committee on Estimates, Mr. Bailey replaces Mr. Hudak, Mr. Brownell replaces Mr. Flynn, Mr. Craitor replaces Ms. Mangat and Mr. Ramal replaces Mr. Naqvi.

On the Standing Committee on Finance and Economic Affairs, Ms. Albanese replaces Ms. Aggelonitis, Mr. Flynn replaces Mr. Lalonde and Mr. Shurman replaces Mr. Arnett.

On the Standing Committee on General Government, Ms. Broten replaces Mr. Brownell, Ms. Jaczek replaces Mrs. Jeffrey, Ms. Mangat replaces Mrs. Mitchell and Mr. Yakabuski replaces Mr. Bailey.

On the Standing Committee on Government Agencies, Ms. Albanese replaces Mr. Rinaldi, Mr. Hardeman replaces Mrs. Munro, Mr. Naqvi replaces Mr. Ramsay, Ms. Pendergast replaces Mrs. Sandals and Mr. Wilson replaces Mr. Martiniuk.

On the Standing Committee on Justice Policy, Mr. Chudleigh replaces Mr. Yakabuski.

On the Standing Committee on the Legislative Assembly, Mr. Brownell replaces Ms. Albanese, Mr. Johnson replaces Mr. Flynn and Mr. Ramal replaces Mr. Sergio.

On the Standing Committee on Public Accounts, Mr. Arnott replaces Mr. Hardeman and Mr. Ramsay replaces Ms. Albanese.

On the Standing Committee on Regulations and Private Bills, Mr. Craitor replaces Mr. Johnson.

Finally, on the Standing Committee on Social Policy, Ms. Aggelonitis replaces Ms. Broten, Mrs. Jeffrey replaces Ms. Jaczek, Ms. Jones replaces Mr. Shurman, Mr. Lalonde replaces Mr. Ramal and Mrs. Mitchell replaces Mr. Craitor.

**The Speaker (Hon. Steve Peters):** Do the members desire the motion to be re-read?

All those in favour will say "aye."

Opposed will say "nay."

I declare the motion carried.

*Motion agreed to.*

## PETITIONS

### TAXATION

**Mr. Jim Wilson:** I want to thank Cathy Scott of Wasaga Beach for sending me these petitions.

"Whereas the hard-working residents in Simcoe-Grey do not want a harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for, to name just a few, gasoline for their cars, heat, telephone, cable, Internet services for their homes, for house sales over \$400,000, fast food under \$4, electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snow-plowing, air-conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, vet bills, bus fares, golf fees, arena ice rentals, moving vans, grass cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

"Whereas the blended sales tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

1520

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I agree with that petition and I will sign it.

## CANADIAN JEWISH CONGRESS

**Mr. Mike Colle:** I have a petition to celebrate the 90th anniversary of the Canadian Jewish Congress.

"To the Legislative Assembly of Ontario:

"Whereas the Canadian Jewish Congress was founded in 1919 and has become a leading advocacy organization for the Jewish community" worldwide;

"Whereas the Canadian Jewish Congress coordinated efforts to assist Jews in Eastern Europe after World War I;

"Whereas the Canadian Jewish Congress has delivered relief shipments to displaced persons' camps after World War II;

"Whereas the Canadian Jewish Congress has created and distributes the Choose Your Voice educational program" for "grades 6, 7 and 8," teaching people "about the dangers of hatred and stereotypes;

"Whereas the Canadian Jewish Congress has intervened in vital human rights and war crimes trials, educated young students about the dangers of hatred and stereotypes through the Choose Your Voice campaign...;

"Whereas the government of Canada has officially designated the founding of the CJC as a significant historical event in Canada;

"We, the undersigned, urge the Legislative Assembly of Ontario to honour and congratulate the Canadian Jewish Congress on 90 years of outstanding work and advocacy for the Jewish community and for all" Canadians.

I totally support this petition and affix my name to it.

### TAXATION

**Mr. John Yakabuski:** "To the Legislative Assembly of Ontario:

"Whereas residents in Arnprior, Ontario, do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers, and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition and affix my name to it, and I'll send it down with page Connor.



## HOSPITAL FUNDING

**Mr. Jeff Leal:** I received a petition today from Kathy Bruce, a fine resident of Streetsville, Ontario.

“Western Mississauga ambulatory surgery centre:

“Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I agree with this petition and will affix my name to it and give it to page Chantelle.

## TAXATION

**Mr. Bill Murdoch:** I have a petition to the Legislative Assembly of Ontario.

“Whereas the residents of Bruce-Grey-Owen Sound do not want a provincial harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

“Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

“Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government not increase taxes for Ontario consumers.”

I have signed this, and we have many, many more to come.

## HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition addressed to the Ontario Legislative Assembly. I’d like especially to

thank the guys from the Rotary Club of Mississauga West, particularly Dave McCaskill, Pieter Kool and Krish Murti, for having gathered some of the signatures on it. It reads as follows:

“Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could better be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I’m pleased to sign and support this very important petition and to ask page Carlos to carry it for me.

## SALES TAX

**Mr. John O’Toole:** I’m pleased to present a petition on behalf of my constituents in the riding of Durham, which reads as follows:

“Whereas potential new car and truck buyers in Ontario are having trouble accessing credit and loans; and

“Whereas the North American auto industry is having difficulty selling vehicles, and the province of Ontario has recently lost more than 300,000 jobs in the manufacturing sector alone; and

“Whereas the auto industry in Canada supports an estimated 440,000 jobs, including many in the auto parts sector, and generates many billions of dollars in tax revenues annually;

“Therefore we, the undersigned, ask the ... McGuinty government to introduce a provincial sales tax holiday in the next provincial budget for the purchase of new” cars of North American production “sold in Ontario.”

I’m pleased to sign and support this, and give it to one of the new pages here, Connor.

SALE OF DOMESTIC  
WINES AND BEERS

**Mr. Frank Klees:** I have a petition addressed to the Legislature. It was presented to me by Mr. Kenneth Kim and Mr. John Yoon of the Ontario Korean Businessmen’s Association. I agreed to read it into the record. I did

advise them that I do not personally agree with the intent of the petition. It reads as follows:

"Whereas the province of Ontario restricts the sale of beer and wine to the LCBO, the Beer Store and a few winery retail stores;

"Whereas other provinces (notably Quebec) have been selling beer and wine in local convenience stores for many years without any harm to the well-being of the public;

"Whereas it is desirable to promote the sale of beer and wine in a convenient manner consistent with a contemporary society;

"Whereas it is essential to support local convenience stores for the survival of small businesses;

"Whereas it is obvious from the current market trends that the sales of wine and beer in convenience stores is not a question of 'if' but 'when';

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Liquor Control Act to permit the sale of beer and wine in local convenience stores to the public throughout the province and to do it now."

I'm pleased to present this petition, notwithstanding that I don't support it, to page Robert for presentation to the table.

#### PROTECTION FOR WORKERS

**Mr. Mike Colle:** I have a petition here to stop the exploitation of vulnerable foreign workers.

"Whereas a number of foreign worker and caregiver recruitment agencies have exploited vulnerable foreign workers; and

"Whereas foreign workers are subject to illegal fees and abuse at the hands of some of these unscrupulous recruiters; and

"Whereas the federal government in Ottawa has failed to protect foreign workers from these abuses; and

"Whereas, in Ontario, the former Conservative government deregulated and eliminated protection for foreign workers; and

"Whereas a great number of foreign workers and caregivers perform outstanding and difficult tasks on a daily basis in their work, with limited protection;

"We, the undersigned, support MPP Mike Colle's bill, the Caregiver and Foreign Worker Recruitment and Protection Act, 2009, and urge its speedy passage into law."

I support this petition and affix my name to it.

1530

#### PENSION PLANS

**Mr. John O'Toole:** It's a pleasure to get the opportunity to read two petitions of many from my riding of Durham. It reads as follows:

"Whereas consumers rely on timely and accurate information from insurance companies and other finan-

cial institutions when they apply for access to locked-in pension funds; and

"Whereas the disclosure of wrong or incomplete information about pension fund access can have devastating consequences for the consumer; and

"Whereas the Financial Services Commission of Ontario (FSCO) is currently limited in its power to enforce standards for the disclosure of information about access to pension funds;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario to enact the necessary laws or regulations that will enable the Financial Services Commission of Ontario (FSCO) to hold financial institutions fully accountable for information they give clients about access to"—their—"pension funds."

I'm pleased to endorse and sign and give this to new page Chantelle.

#### HOSPITAL FUNDING

**Mr. Michael A. Brown:** I have a petition to the Legislative Assembly of Ontario regarding the western Mississauga ambulatory surgery centre.

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

This is signed by a number of residents of the Mississauga area, including Wendy Johnson and Marion O'Sullivan.

#### TAXATION

**Mr. John Yakubuski:** I have a petition here from the people in my riding of Renfrew-Nipissing-Pembroke.

"To the Legislative Assembly of Ontario:

"Whereas residents in Renfrew-Nipissing-Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline, for



their hydro, cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

“Whereas the McGuinty Liberals’ new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the McGuinty Liberals’ new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government not increase taxes for Ontario families.”

I support this petition. I will affix my name to it and send it down with Carlos.

### TAXATION

**Mr. Bill Murdoch:** I didn’t see anyone else up, Mr. Speaker, so I guess we’re the last of the line. I have a petition to the Legislative Assembly of Ontario.

“Whereas the residents of Bruce–Grey–Owen Sound do not want a provincial harmonized sales tax that will raise the cost of goods and services they use every day; and

“Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

“Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty Liberal government not increase taxes for Ontario consumers.”

I have signed this, Mr. Speaker, and will give it to Samaa and she will bring it down to you.

### ORDERS OF THE DAY

#### STUDENT ACHIEVEMENT AND SCHOOL BOARD GOVERNANCE ACT, 2009

#### LOI DE 2009 SUR LE RENDEMENT DES ÉLÈVES ET LA GOUVERNANCE DES CONSEILS SCOLAIRES

Ms. Wynne moved second reading of the following bill:

Bill 177, An Act to amend the Education Act with respect to student achievement, school board governance and certain other matters / *Projet de loi 177, Loi modifiant la Loi sur l’éducation en ce qui concerne le rendement des élèves, la gouvernance des conseils scolaires et d’autres questions.*

#### **The Speaker (Hon. Steve Peters): Debate?**

**Hon. Kathleen O. Wynne:** Before I start my remarks, I would like to acknowledge Margot Trevelyan and Margaret Correia, from the ministry, who are in the gallery and have worked very hard on this bill, and Ken Thurston from my office. I’d also like to acknowledge in advance the member for Kitchener–Conestoga, who has been newly appointed as my parliamentary assistant, who will be speaking to the legislation later.

It gives me great pleasure to speak to Bill 177, and in fact Bill 177 follows up on Bill 78, legislation that was passed a little over three years ago, and I’ll return to that. As I think this House knows, our government is committed to higher levels of student achievement. It is in fact our top priority in education.

En même temps, nous savons que nos conseillères et conseillers scolaires et nos directrices et directeurs de l’éducation doivent assurer une bonne gouvernance pour appuyer l’amélioration du rendement des élèves.

I personally and our government generally has a great deal of respect for Ontario’s trustees and directors of education. We know that they work extremely hard every day to make the publicly funded education system in Ontario the very best that it can be and to make it work well. That’s why we introduced the Student Achievement and School Board Governance Act in May, in support of them in their important roles. That word “support” is important. I’m going to come back to that word over and over as I go through my remarks because that’s what this is about; it’s about support of the people who work in our education system. So I’m pleased to stand here in the Legislature for second reading of our governance legislation today.

The Education Act, as it now reads, outlines a long list of requirements and responsibilities, everything from putting up fences to buying milk. There’s a huge range of activities. However, the most important goal for Ontario parents, improving student achievement, is never mentioned, and I believe that most Ontarians would be stunned to know that in the Education Act of this province there is no mention of student achievement as a responsibility of school boards. So our goal is to change that, and we believe that we will have the support of the community and I hope the support of this House in making those changes. The proposed amendments to the Education Act, if passed, would make student achievement the number one priority for all school boards, and I’d like to provide some context as to why we want to make these changes.

Comme vous le savez, les conseils scolaires sont la pierre angulaire d’un solide système d’éducation financé par les fonds publics en Ontario.



In 1998, more than a decade ago, substantial changes were made to school board governance in Ontario. Since then, several major reports have called for a governance review to see and to make sure that the structures in place are operating as effectively as they should, because when relationships were changed to the structure of education in Ontario, it would make sense that we would look at those relationships to see if they were also adjusted. So we assembled the governance review committee to examine how well the current governance structure is serving Ontario's education system, and the committee's report found many strengths in the current system, but it also identified some areas for improvement, specifically that we clarify the mandate and the duties of school boards, and that has not been clear. I have served on a school board as a trustee since 1998, between 2000 and 2003, and I can tell you that those roles were not clearly defined.

Il s'agit, entre autres, de promouvoir le rendement et le bien-être des élèves, de leur offrir des programmes efficaces et appropriés et de veiller à ce que les ressources des conseils soient bien gérées.

The report also made a number of other recommendations, including clarifying the roles of trustees and directors of education, putting strategic plans into place for student outcomes. There were also recommendations for professional development for trustees and for people who are in those governance structures, and other supports for effective governance of boards.

1540

This legislation that I'm speaking to today was designed to address many of that committee's recommendations. At the same time, it demonstrates our government's high level of respect for trustees, school boards and directors of education. The proposed legislation would clarify what's expected from all of those people: from the chairs, from the trustees, from the directors of education and from school boards in general. It would also build on good governance practices and promote sound financial management by establishing audit committees and creating a provincial code of conduct for trustees. If we look at other jurisdictions across the country, we'll see that many of these pieces are in place. So, in some cases, we're actually playing catch-up in terms of what other jurisdictions have done.

Tous ces changements mettraient l'accent sur le fait que les conseils sont responsables du rendement des élèves et en feraient leur première priorité.

What I'd like to do is explain what this means for our partners in education in a little bit more detail. First of all, student achievement and fiscal management.

School board leadership place an important role in student learning, obviously, but it needs ongoing development to improve the ability of board leaders to act together to implement core priorities and to provide the necessary supports and environment for students' success. So we're proposing to amend the Education Act to clearly state that boards are responsible for promoting

student outcomes and student achievement, and this would be laid out in provincial interest regulations.

Another change would involve direction on handling school board resources effectively. This would include carefully developing the budget, managing assets in a responsible manner and allocating resources in a way that would support the board's multi-year strategic plan. It hasn't always been the case that we've had access to a multi-year plan. In effect, this bill would help ensure that board resources are managed wisely, effective education programs are delivered and students are encouraged to pursue their goals. As a result, all board expenses would align with board priorities, particularly in supporting student achievement. That alignment has been uneven, and I think that we need to make sure that there are mechanisms to ensure that kind of consistency.

Other amendments that we are introducing would highlight the important leadership role that board chairs have, and that would include conducting meetings according to the board's procedures and practices, acting as a spokesperson to the public on behalf of the board—which does happen much of the time now—and providing leadership to the board to keep focused on its strategic plan. I say, in the instance of the board chairs acting as spokespeople, many of these things do happen now, but what we want to do is we want to ensure that, in legislation, it's clear what those roles are.

Je devrais souligner que beaucoup de ces rôles et responsabilités font déjà partie de la pratique courante des conseils de toute la province, mais ils n'ont jamais été prescrits par la loi. So we're putting these into law.

As for trustees, we know that they play a valuable role in the education of our students. The amendments that we've proposed would strengthen the role of trustees by ensuring, among other things, that they participate in board meetings, consult with parents and students on the board's multi-year plan and bring concerns of parents, students and constituents of the board to the board's attention. This piece is extremely important because I think that although individual trustees may, much of the time, have an understanding of what their role is, it's not always clear to communities what the role of trustees is. One of the objectives, from my perspective, for introducing this legislation was that we would raise the discussion about the role of school boards, about the role of school trustees, and my hope is to encourage more interest in school board elections, for example, because if people don't know what the role of an elected official is, then it's very difficult to take an interest in that role. That's one of the things that we've been told by school boards and by trustees that they're interested in, and I've met with many of the school board associations on this.

Trustees, as a result of this legislation, would have to maintain their focus on student achievement, and we've already talked about that as being an important focus for the education system, including students' well-being, happiness and self-esteem. So I want to be clear, because I have a sense that there is a bit of a discussion that has begun out in the community about this, that we are not



narrowly defining student achievement, that we are making it very clear that student achievement and student well-being need to be looked at broadly and that that means that we're talking about students being engaged and being able to be prepared for the world beyond their high school years, because we recognize that there isn't just one factor that's going to prepare a student for those years beyond. That student achievement, as well as well-being, is extremely important to our measure of how the school system is doing.

C'est cette clarté que les conseillères et conseillers scolaires et le public ont demandée lors des consultations du comité pour l'examen de la gouvernance.

Another amendment would require trustees to uphold the implementation of a board resolution, a final resolution after it's passed, and to comply with the board's code of conduct.

Our proposed legislation is not meant to stifle dissenting voices; in fact, we support exactly the opposite. We believe that divergent views are part of a healthy discussion at the board table. We believe that they're necessary for exploring the various options available and considering the pros and cons involved in any issue that's being discussed.

However, once a board has made a final decision, trustees would be expected, as members of that board, to uphold the board's decisions. This was a recommendation of the governance review committee. Trustees could obviously explain to their constituents that they may not have supported the decision at the board table and they may continue to disagree, but that once the decision has been made, they should uphold that decision fully. I believe, and I think it would be supported by this House, that to do otherwise is neither helpful nor productive. It simply distracts members from moving forward. So we're not talking about stifling disagreement. What we're talking about is trying to create a cohesive movement forward once a decision has been made by a board.

I want to talk for a moment about directors of education. There are some specific amendments relevant to directors. Currently, beyond providing an annual report to the board and to the minister, directors of education have very few duties specified in legislation, and that has been articulated as a problem. We're proposing that directors be responsible for supporting the development of their board's multi-year plan, implementing and monitoring the plan, annually reviewing the plan and publicly reporting on how it's being implemented. I think that's something that communities can expect.

To further build on good governance practices, the legislation includes establishing audit committees and adopting a provincial code of conduct for trustees. Again, if we look at other jurisdictions, these things are in place in many other jurisdictions across the country.

The governance review committee also heard an overwhelming desire for such a code of conduct during its provincial consultations, and there was widespread support, in fact, among trustee groups and individual

trustee participants for such a code of conduct. That is consistent with what we had heard previously.

Un code de conduite établirait des normes de pratiques exemplaires et fournirait aux conseils les outils nécessaires pour réagir à tout comportement inapproprié.

Boards would have the flexibility to develop their own codes of conduct, which would include the provincial code as the core of that local code of conduct, plus any other provisions that the local boards wanted to include. This would allow boards to address concerns that had been raised in their communities, while maintaining the standards that had been set out in regulation.

I think that any discussion of publicly funded education has to include a discussion of the roles of trustees, directors and chairs, and of student achievement, but I think it also has to include a discussion of the role of parents, the critical role of parents in the education system. I know that all parties in this House have taken action to engage parents. We want to go one step further down that road. Feedback from parents is extremely important at whatever level we're talking about and continues to play an important role in our government's agenda. That's why we've proposed amendments to include provisions that each school board in the province have a parent involvement committee. This parent involvement committee would be a regional, board-wide committee and would draw on constituencies around the board. It would replace in legislation the Ontario Parent Council, which has not met since June 2004 and which was disbanded in December 2005.

As happened when school councils were put into legislation by a previous government, having legislation for these special committees would enhance their mandate and functions and ultimately increase their presence at the board level.

There are many boards that already have these parent involvement committees but it's not clear exactly what their roles are, and again there is an unevenness around the province. The reason we would like to put this into legislation is to create that common understanding of the role of these committees.

#### 1550

We believe that it really is an opportunity to identify the real issues and barriers of parent engagement at the grassroots level. This is very important, from my perspective, that we have a body at the grassroots level that draws on the knowledge and the wisdom of school councils and parent populations to make recommendations at the board level. Then, at the ministry level, it would be my intention, if this legislation were to pass and there was a provincial move to have these parent involvement committees in place, to bring together representatives from these parent involvement committees on an annual basis to talk to them about the issues that they are hearing in each of their boards. That grassroots discussion is very important to me.

I believe that they allow for a broad spectrum of parents to provide advice to boards about their children's education, thereby improving student achievement,



because we know that if parents are involved, students do better.

Nous savons que les élèves réussissent mieux quand leurs parents participent à leur vie scolaire.

I believe that this approach to parent involvement would be a better way of making parent input timely and meaningful, and I look very much forward, if this legislation passes, to working with parent involvement committees.

I spoke a little bit earlier about audit committees, and this legislation would also introduce audit committees.

Beaucoup de conseils ont déjà des comités de vérification qui comptent des membres externes venant de la communauté, mais certains n'en ont pas.

Audit committees perform an important oversight function, obviously, and are designed to help boards adopt effective practices to support student achievement. They've also been identified by the governance review committee as an effective governance practice. It would mean that boards would be more accountable to their communities and it would create a transparency for student achievement expectations and reporting on students.

To help boards establish internal audit functions, our government is supporting an increased focus on financial transparency and accountability with \$2 million in 2009-10, and this funding will grow to \$5 million annually in subsequent years. So we recognize that there could be an additional cost that would be associated with that and we are prepared to put that money into the system.

I spoke earlier about the provincial interest regulations. These are the regulations that would flow out of this legislation. All partners in education have a role to play in enhancing student achievement and well-being, as I've already said, closing the gaps in student achievement between the kids who are achieving and the kids who aren't, and maintaining confidence in Ontario's publicly funded education system, and those remain at the core of our goals. That's why we passed Bill 78, which was the student performance bill, in the spring of 2006.

Le projet de loi a apporté des changements positifs à l'appui de l'éducation financée par les fonds publics.

It replaced teacher testing with increased supports for our new teachers, increased trustee honoraria and empowered student trustees.

The bill also authorized the government to set regulations in the provincial interest that clarify ministry and board responsibilities in a number of ways, including student achievement.

Bill 177 is the next logical step—which I think the sector knew was coming, because Bill 78 had already been passed in 2006—because it clarifies for boards, directors of education and school trustees their roles and duties to support higher student achievement and well-being, so it flows out of the work we did in Bill 78. If Bill 177 passes, the government would establish provincial interest regulations that will outline the supports and interventions to carry out their important work. I

come back to that word “supports” because it is about supporting boards to do the work that they need to do.

We have an enormous responsibility as government to ensure that the significant investments that we're making in education are paying off. We're making those investments, obviously, on behalf of the people of Ontario, and so it is critical that we have that relationship of accountability with school boards.

Nous savons que la grande majorité des conseils fonctionnent bien. Ils se gèrent efficacement et affichent une amélioration des résultats des élèves.

Beyond the supportive measures, and as I say, those are at the core of what we believe needs to be in place, we also have to deal with the rare instance where boards, despite ministry supports, are failing to make progress or have declining student results, or in some other way are not attending to the well-being of students in terms of achievement or other indicators. And I go back to my comments about that broad definition of achievement and well-being.

So we're interested in providing a continuum of supports for boards that are struggling and responding to such a board with a staged response of supportive and directive intervention. I really believe that the relationship between school boards and ministry should be one of support and not one of punishment. I have to say that when I was a school trustee there was a much more hostile relationship and there was a much more punitive tone in the dialogue between school boards and the ministry. That has changed and we want to make sure that what we do in this legislation makes it clear that we believe that that tone—that one of support, that one of encouragement and that one of shared responsibility for the achievement of our students—is the tone that stays in place. That's what this legislation is about.

The government will respond if a board over time has significant and persistent problems relating to student achievement, effective stewardship or good governance. The administration or supervision—I'm using the term that people might recognize—of a board is the last step in the proposed process of ministry response, and it would obviously not be taken in the absence of serious concern for the achievement and well-being of students.

As I say, there would be no suggestion in the public interest regulations that there would not be, before that happened, a series of actions that would be supportive and that there would be interventions that the board could work with the ministry on in an attempt to deal with the issues at hand. That I think would be of great assistance to boards.

Again, if we look at other provinces, there are varying degrees of ability of ministries and ministers to intervene and support, and so what we're trying to do is to create an Ontario situation that looks to other jurisdictions but creates an environment in Ontario that reflects what we believe that relationship should be, which is that supportive, collaborative one.

So we're consulting with the trustee associations, with the Council of Ontario Directors of Education, as well as



with all of the other stakeholders in education on the provisions that would be contained in the regulation. I know that there has been some concern about conversations that took place over the summer. There will be many other opportunities for people in the community to comment on both the public interest regs and on the legislation.

We'll also be considering the best means of ensuring that the process is positive and supportive, as I said, rather than punitive. We have to remember that when the relationship between the province and school boards was changed—and I think I've referred to that; it happened around 1998—and there was a different relationship established between school boards and the government, there was not the concomitant examination of the governance roles, and that's what we're trying to do.

We believe that everyone in the education sector needs to continue to work together in order for all of our kids, all of the students in our system, to reach their fullest potential. This legislation would help to clarify the role of many of the important players who need to have a focus on student achievement and who I know in their hearts do have a focus on student achievement and well-being, because when that happens all of our students will do better. When I visit our schools, I am so proud of what I see. And I'm proud not on behalf of me as a single minister in the government; I'm proud on behalf of all of us in Ontario because of the excellent system that we've been able to create. By any objective standard, and we can look at national tests, we can look at international tests and we can look at the fact that people come from around the world to visit Ontario to see how we provide programming for all of our students—by all of those measures, we are providing a rich learning environment for our students.

Il me fait également plaisir d'entendre les récits inspirants des membres du personnel enseignant, de la direction d'école et du personnel de soutien de toute la province.

Progress is being made everywhere and I am confident that this bill is going to take us even a step further.

Nous avons accompli beaucoup au cours des six dernières années.

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Across Ontario we've had more achievement in terms of graduation rates. We've seen test scores go up. We've seen students engaged in programs that were not available six years ago. When we brought in specialist high-skills majors, just for example, where students have an opportunity to get work experience that they can take out into the work world or into a post-secondary institution, whether it's in culinary arts or whether it's in aerospace—six years ago those programs did not exist. When we brought those in three years ago and there were 600 students who took part, now we have 20,000 students who are taking part in our specialist high-skills majors. We've got 36,000 more kids graduating from high school since 2003.

Those are the measures of success that I think we have to pay close attention to. Every one of those 36,000 kids

who has graduated from high school, who might not have graduated had we not put those programs in place, has a story about how they weren't engaged, how they weren't coming to school and how a teacher called them and said, "We haven't seen you for a while," and that child was re-engaged in the education system. They're going to have more opportunity and a better life because they had the opportunity to get their high school diploma, which is really a building block for anything that kids want to do later on.

We've done a lot. One of the major things we've done is we've changed the dialogue with folks who work in the education system.

Une des grandes réussites que nous avons eues en tant que gouvernement a été de rétablir des relations positives avec le secteur de l'éducation.

We've worked hard to create that environment. We've worked hard to keep that dialogue going between all of the folks who make our schools as wonderful as they are. Thanks to the hard work and collaboration throughout the education sector and all of the people on the ground, we've had, so far, six years of peace and stability, and we've got collective agreements in place that will mean we'll have eight consecutive years of peace and stability in our education system. That is no small feat, and it is no small feat because it allows our students, our education workers and everyone in the sector to focus on what's really important, and that is our kids.

À mon avis, ce qui ressort clairement de ces discussions est la valeur et la force de notre relation et la preuve de ce que nous pouvons accomplir ensemble.

Going forward, we're concentrating on continuing to build on the partnerships already established among the education partners in Ontario. We will not let go of those relationships. We are going to continue to have those discussions. We will, from time to time, have disagreements. We have had disagreements and we have worked through those disagreements because we have a solid, respectful and trusting relationship, so we will continue to build on that.

I'd just like to take one moment to share with the Legislature some quotes from some of our partners in education about this legislation. First, Madeleine Chevalier, who is chair of the governance review committee—she's a school board trustee and a former board chair. She says:

"I am confident that the proposed amendments to the Education Act will enhance the understanding of the roles and duties of all school boards and their ability to focus on student achievement and success, as well as provide them with better tools to achieve their goals. This can now be done while still respecting the culture and specificities of governance by individual school boards."

From Denis Chartrand, who's another member of the governance review committee but is a university professor, a former director of education and former chair of the Council of Directors of Education:

"I believe that the enhanced clarity in role descriptions and expectations will allow trustees and directors of



education to more effectively work together for the benefit of learners."

Lastly, Carole Olsen, who's the chair of the Canadian Education Association, agrees. She says:

"Effective school board governance practices are key to building our publicly funded education system. This legislation will more clearly define the role of trustees and school boards which will ultimately strengthen the governance structure for school boards in Ontario."

Ce ne sont là que quelques témoignages, mais ils montrent clairement que notre gouvernement est sur la bonne voie. Nous continuerons à travailler avec tous nos partenaires en éducation pour renforcer la gouvernance des conseils scolaires et pour améliorer les rôles des conseillères et conseillers scolaires, des directrices et directeurs de l'éducation et de tous les membres des conseils dans l'intérêt de nos élèves.

This government is committed to continuing to improve the learning environment for our students, committed to improving the achievement of all of the students in the education system, and committed to working with all of the folks in our education sector who work so hard every day. They're at the beginning of their school year. I know these are hectic weeks, but we are so very grateful for the work they do, and we offer them our continued support and partnership.

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Mr. John O'Toole:** First of all, I'm going to say that I'm anticipating this afternoon a response from our critic, Ms. Witmer, the member from Kitchener-Waterloo, who is a parent, a former high school teacher, chair of a school board, educator of the year, as well as a former Minister of Education.

There's much in this bill that is an outgrowth of comments made by other qualified individuals: the Rozanski report, the Auditor General's report, as well as Norbert Hartmann, a former Deputy Minister of Education. All of these professional and qualified individuals almost insisted that the minister take these actions. And what are these actions? These actions are about command and control. They're about the Ministry of Education, in regulation, taking over education.

One would ponder what the function is of some of these boards. Section 11 of the act is amended by adding the following: "The Lieutenant Governor in Council may make regulations governing the roles, responsibilities, powers and duties of boards, directors of education and board members, including chairs of boards." This is in response to Mr. Norbert Hartmann's report on the spending of the Toronto public and separate boards.

Section 17.1: "The Lieutenant Governor in Council may make regulations requiring boards to establish parent involvement committees and providing for the composition, mandate and functions of the committees." This is clearly the minister's mandate in regulation. When it says that the order in councils will be set by the minister, this is cabinet telling the school boards of Ontario what to do. They've actually given them as much

money as they possibly could, and yet they're saying that there's still no control by the ministry. She's saying here today—and I think with the right intentions—that she's taking control.

Now, I have no problem with that. I served as a trustee for two years. My wife was a teacher, now retired, and I have the greatest respect for public education. I think—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. Comments and questions?

**Mr. Rosario Marchese:** I just want to tell the folks who are watching that I will be speaking for approximately one hour, and that'll come soon, after the member from Kitchener-Waterloo speaks. I suspect it might last a whole half-hour; I don't know. So join in, with your wine and whatever else you need to be able to watch this kind of program, in approximately an hour for my comments on the minister's remarks, because I have nothing but negative news to talk about with respect to what this bill is all about. I'm going to be attacking the bill from beginning to end. Please tune in.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions?

**Mr. Jeff Leal:** Thanks very much, Madam Speaker. Congratulations on your new role. You'll do a phenomenal job.

I'm very pleased to speak about Bill 177. Just last week, my wife went back—she's the vice-principal at St. Anne's school in Peterborough. My two children, Braden and Shanae, are there in the French immersion program. They were very anxious to get back. In fact, my wife was actually back two weeks earlier because, as a vice-principal, she's working very carefully with her principal, Ryan Brooks, planning for the opening of school next Tuesday to provide for that very positive learning environment that we have at St. Anne's and, indeed, in the separate schools in the riding of Peterborough and the public schools that are part of the Kawartha-Pine Ridge school board.

It was interesting, the member for Durham mentioned his wife, a lovely person, an outstanding teacher, and a number of years ago, when she retired, I got to present her with her retirement certificate, which I signed as the member from Peterborough. It was a delightful occasion to honour Peg O'Toole and her outstanding contribution to education, despite the environment that she had to work in for a number of years.

The director of the separate school board in Peterborough, John Mackle, and his wife, Susan—John Mackle taught with the member from Eglinton-Lawrence at St. Michael's, and indeed, this year, John and Susan are head of the United Way campaign in Peterborough, which kicks off this Thursday, September 17. I can't be there, but my staff from the constituency office bought tickets.

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When I talked to my wife about Bill 177, she said, "This is the progressive kind of legislation that has made the framework for teaching in Ontario much better than



what it was from 1995 to 2003. It's a real joy now to be back in the classroom with this Minister of Education."

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Mr. Peter Shurman:** I may be the only person standing in the House today who is not related to a teacher, but I do know a number of school trustees, and I think that the school trustees that I know would not be terribly pleased.

The explanatory note here says, "The bill amends the Education Act to make various amendments relating to the governance of school boards. New provisions address boards' responsibilities for student achievement and effective stewardship of its resources and require boards to develop plans aimed at achieving these goals. The bill sets out duties of the chair of the board relating to the chair's conduct of meetings of the board, the chair's relations with the public and the director of education and other matters regarding the chair's leadership role, and the director of education is also given new duties regarding his or her supervisory role."

That's code, and the code is basically, "Command and control." It's code for "We're running the show at the ministry level." That's why I think that trustees would not be too pleased.

As we know, the voter rates, the turnout rates for votes, on school trustee elections are probably somewhere in the 15% to 25% range. Now that you're taking control at the ministry level to this extent, it strikes me as passing strange that you would expect the voter rates to even be that high.

The note goes on to say, "A new process is set out in the bill for dealing with alleged breaches of the code of conduct by members of the board. Various other minor or consequential changes are made regarding the powers and duties of the minister and of other persons involved in the administration of the education system."

To me, this bill effectively puts all school boards in the province on a form of notice, and that notice is that if they are not de facto being taken over, they may as well see themselves as under the stewardship of a supervisor, not at some time of a future choosing of the minister but from the get-go.

**The Acting Speaker (Mrs. Julia Munro):** The minister has two minutes to respond. Minister of Education.

**Hon. Kathleen O. Wynne:** I thank the members for Durham, Trinity-Spadina, Peterborough and Thornhill for their comments.

The fact is that the governance review has been called for by the sector, by trustees, by the people who are in these roles, by directors, by the very people who have felt that since changes were made—we could have a debate about the changes that were made in 1998. I'm sure that the member for Kitchener-Waterloo will refer back to those changes.

The fact is, those changes were made and the fact is that there was no accompanying review of the governance structures, and that is what has been called for.

There isn't clarity in the system about who fits where, what the roles are, what the responsibilities are.

I'm glad that it's our government, that has a good relationship with the education sector, that works with the education sector, that doesn't use words like "command and control," because that's the screen that the party opposite puts on this kind of relationship—the words we use are "support" and "encouragement" and "nurturing" and "accountability" and "relationship."

The problem is that the party opposite laid a groundwork that, when we came into office, we had to undo. We had to undo the toxicity of that relationship. We've done that. Now it's time to go the next step and build in a public interest—I think everyone would agree, student achievement should be at the core of boards' work—because we are in government and we understand what the relationship between ministry and school boards should be. I'm just very glad that we are on that task and that it's not the other side that is there.

**The Acting Speaker (Mrs. Julia Munro):** Further debate?

**Mrs. Elizabeth Witmer:** Thank you very much, Madam Speaker, and congratulations to you. This is your first day in the chair, and we have no doubt you'll do an outstanding job.

I'm very pleased to be here on behalf of the PC caucus to speak to this bill, which is entitled the Student Achievement and School Board Governance Act, which has been brought forward by the Minister of Education, ostensibly to strengthen school board governance.

The minister has also admitted that this legislation addresses a number of long-standing recommendations concerning school board governance, and I would certainly agree that changes have been called for now for some time. In fact Rozanski, in his 2002 report, recommended that we do review the trustee governance, and this government regrettably has waited seven long years to get it done, and certainly there are some concerns, I would have to say, about what they have done. I think, for the minister to try to paint this as everybody being happy with the changes, that is not necessarily the case.

We've certainly heard from trustees and some others who do have real concerns about this legislation, the fact that it would lead to an erosion of autonomy for local trustees. I think we only have to look at the changes that were made for those who are in hospital boards and how many hospital boards, under this Liberal government, are being taken over by hospital supervisors. Then the Minister of Health goes out and maligns the CEO and the board chair in order to try to convince the local community that that board and that CEO haven't been doing their job. I certainly hope that this bill is not going to enable the Minister of Education, in this case, to go into communities and, again, take over boards but at the same time put down those people who have been trying to do their very best. Anyway, it is an attempt to deal with the issue of school board governance, an issue that does need to be addressed. The question is, does this address the situation as it should?



What it proposes to do: It does add some new provisions to the Education Act, and it does address very specifically the responsibility of boards for student achievement; also, that they would effectively look after the resources, and that they would develop plans aimed at achieving responsibility for student achievement and stewardship of their resources. The bill also sets out duties for the chair of the board, and that relates to the chair's conduct of meetings of the board, the chair's relations with the public, the director of education, and other matters related to the chair's leadership role. Having been the chair of a school board for five years in the region of Waterloo, I think it's always a good idea that some people who are chairs would specifically recognize and know what their job is.

The director of education in this legislation is also given new duties regarding his or her supervisory role. The bill also lists duties for the members of the board, the trustees, including their duties regarding their attendance, their participation in meetings of the board, their relations with parents, students and supporters, and their compliance with the board's code of conduct. There's also a new process here in the bill for dealing with alleged breaches of the code of conduct by members of the board, and there are various other changes made regarding the powers and the duties of the minister. This is where it gets to be, I think, a little questionable as to what is the real reason for this bill. It also talks about the powers and duties of other persons involved in the administration of the education system.

The bill also removes the board's ability to finance permanent improvements through the issues of debentures or other debt instruments.

A purpose provision is added to the act to indicate the purpose of a public education system.

So on the face of it, if you take a look at the amendments, you would probably say that, yes, these are amendments that obviously should be addressed. Most of them do concern governance. Some of them are looking to strengthen the accountability for the use of taxpayer money, which our party obviously believes in strongly after what we've seen as the lack of government oversight of agencies such as eHealth or at OLG. In fact, we've had the Minister of Health involved in both of those scandals. He was involved in the first OLG scandal, where he couldn't provide the necessary oversight; now he's involved with the eHealth scandal. Regrettably, what does this government do? They fire the individuals at the agency, but a minister is never, never asked to step down. What's happened to government accountability? This government is asking trustees to be accountable, and yet the Premier doesn't demand the same accountability of his ministers.

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So we do believe in and we do support the segments of this bill that strengthen accountability for the use of taxpayers' money. We just wish the government would assume the same accountability and also ensure that ministers recognize that that is their duty as well.

We certainly agree that student achievement needs to improve. We had some very disappointing results recently when the results of the testing came out. Here's an article on September 3 which says, "Grade 9 Math Scores Damning: Only 38% pass test and new numbers show kids falling further behind as they get older." It's very disappointing that that's happening. We're not seeing the student achievement.

It was our government that put in place the testing. We recognized that it was important that each child have the appropriate literacy and numeracy skills that were necessary, and we now find out that "more than 40,000 students," according to this article on August 26 by Louise Brown, "are still falling short of the mark in high school math."

We've recently heard as well from teachers and university professors who have indicated that our students are not prepared with the appropriate skills when they arrive at university, so we certainly have a lot of work to do. Here's another headline in the National Post which says, "Ontario Students Failing to Catch Up."

So there is a need for us to continue to focus on student achievement. We would support, certainly, initiatives that would encourage all of the partners to work together, and there are three partners in education. There are the parents, there are the students, and there are the teachers. It's important that all three of those partners work together in order that our students can achieve success, that they can develop self-confidence, and that they do graduate and are well prepared to take their place and be able to compete in the global economy. So we support the emphasis on student achievement.

This bill does speak to improving purchasing practices, which we would support; it speaks to improving spending patterns at school boards, which we support. If you can achieve some savings, then we could put that money back into resources to support our students as they move forward and attempt to be the best that they can be.

Now, local autonomy: That's what I think is of concern to many trustees in the province. What does this bill really do to local autonomy? Local autonomy has long been valued by school boards, and I would say to you that the majority of school boards in the province of Ontario have always done everything they possibly could to be good fiscal stewards. It is a long-standing tradition that they would be autonomous. I certainly understand that, and our party, I can tell you, does respect the autonomy of elected school board trustees, and we appreciate that they work with their teachers and their communities in order to develop programming and move forward with initiatives to support our students.

We have in this province a world-class education system, and we owe much of what we have in this province to those people who went before us. One of the most outstanding Premiers in this province, when it came to moving forward and developing this first-class education system, was Premier William Davis, and he continues to be recognized for what he has done, not only at the elementary and secondary school levels, but also the



community colleges. So we do strongly, strongly support the education system in the province, and we support any and every initiative to make it better.

But we do recognize, as this legislation is attempting to do, that you need to put in place some checks and balances. Certainly some of the amendments are good; others we question. One of the concerns about this legislation is the fact that this bill really is an unknown to some extent, and the reason is, we have the bill, but what is going to determine the direction of this bill, the powers of the minister and the government, are the regulations, and we are not going to know about the power of the minister, of the government, or taking away of any local autonomy from trustees until such time as the bill passes. I think it's that part of this bill that is causing a tremendous amount of concern, because although it's supposed to better define job descriptions for trustees and school boards, and set student achievement at school boards, we really don't know how that's going to happen until the regulations are developed.

I just want to point out that not everybody is happy about this bill, and there are some rumblings throughout the trustee community about the bill. I would say to you that the phone calls and the e-mails that we've been receiving, and some of my colleagues have been receiving, have certainly increased as we have reached today because, as somebody said, "If this bill passes, I'm afraid my job as a trustee becomes meaningless. Yes, they're telling me that this is going to be my role, but I really feel that the Minister of Education is going to be in charge." Another says, "It's dangerous. It says this is going to be a fundamental, substantial shift in the relationship between the ministry and school boards in the province." So there is concern.

Other trustees say, "This clearly is going to make us servants of the province." That's what happened to hospital trustees in the province of Ontario. When this government established the LHINs, the local health integration networks, the hospital boards and the hospital board members now are dictated to and told by the LHINs how much money they're going to have and what's going to happen within their own local hospitals. They have lost local autonomy, and if they don't dance to the tune of the piper—the chair and the members of the boards of the LHINs—we know what happens: supervisors are sent in. I guess the same concern now is one that is shared by trustees, as to what the impact of this bill could be. So they're not so sure that it's all about clarifying job descriptions. They do know that certainly from what they've seen so far, it gives the government the opportunity to take steps to step in and to take over school boards if they show persistent problems relating to student achievement, effective stewardship and good governance. How is somebody going to determine that?

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They're quite concerned about that because, as I say, without the regulations here, they know that they could be punished. They're not sure for what they could be

punished. And do you know what? I would say to you that some of them—and OPSBA has been quoted as saying that the tone of the discussion paper is "punitive" and some of the language is "particularly offensive." I think that's important because this bill was very quietly introduced. I think the government tried to keep it under the radar. Now I think people are recognizing that certainly the bill is going to give more power to the minister than they had originally determined. Nobody is quite sure about how the regulations are going to determine the powers and also what could happen to the boards. Trustees are going to have to try to set standards, measures, enforcements etc. They're going to have to be responsible for student achievement, but we don't know what the guidelines are and how any of that is going to be measured.

I think it's important to get that on the record because not everybody supports this bill. In fact, I got a call from a school board chair this week, out of the blue, and he was very, very concerned about the bill. He hadn't thought about it for a couple of months, but suddenly he, like so many others, suddenly realized that this bill, which could have great consequences for local school board autonomy, was being introduced. He was concerned about the new powers that it was going to give to the minister and the government and the fact that a supervisor could come in and take over.

When a supervisor comes in, I think it's important to note that basically the local community no longer has a voice. Having been a school board trustee myself, I think what I always valued was the relationship you had with communities. We set up the parent councils in order to allow more input into local school decision-making. We hope that this bill isn't going to eliminate the local autonomy for parents, teachers and trustees.

If you take a look at this legislation, I think the government decided to hastily introduce it because of what happened at the Catholic school board here in town. Certainly the trustees and their expenses were coming under increasing public scrutiny. In fact, between January 8, 2008, and February 19, 2008, there were 14 articles regarding personal expenses charged to board accounts that appeared in the press, and consequently Norbert Hartmann was asked by the minister to step in. He did prepare a report that was entitled *Enhancing Public Trust and Confidence*, because in the city of Toronto the board had lost the confidence of the public. The report was completed on May 6 and I think it is a good report.

This report really wasn't discussed much by the government during the first reading of Bill 177, and I think I'd like to share some of what Mr. Hartmann did find. He concluded that the "cost of governance at the Toronto Catholic District School Board is among the highest in the province," and that costs had grown substantially since 2003. That happens to coincide, by the way, with the election of the Liberal government. Mr. Hartmann indicated that a significant portion of the growth in governance costs was a result of discretionary expenditures that trustees had provided for themselves since 2003. Mr. Hartmann's report specifically states:



"The pattern of expenses that trustees claim and the board services available indicate that trustees:

"—provide themselves benefits and services that are not permitted by the Education Act;

"—incur expenses unrelated to their responsibilities as board members; and

"—exercise powers to allocate funds that are not provided in legislation."

He also went on to say that "trustees do not always acquire goods and services in the most cost-efficient and effective manner possible," and that "significant improvements in the reporting of expenditures are required."

Mr. Hartmann made 20 recommendations in order to ensure that the policies and practices at the Toronto Catholic District School Board represented an appropriate and transparent approach to the provision of services and reimbursement of trustee expenses. It recommended that the Ministry of Education should look at additional ways of improving oversight and transparency.

I think it's important that we recognize that the bill we have here, obviously, in some respects, came out of Mr. Hartmann's report. I think it's also important to recognize that you cannot paint all trustees throughout the province of Ontario with the same brush. We know that, for the most part, trustees do attempt and do handle taxpayer money with fiscal prudence.

Hartmann's analysis wasn't the first time that education governance had been recommended for review. If you go back to 2002, we had set up the committee under Dr. Mordechai Rozanski, who said, in light of the introduction of the student-focused funding formula and the loss of taxing authority by school boards, that there was a need for a thorough review of school governance. In that, he meant that the roles and responsibilities of all partners in education, including the government, school boards, teachers, school councils and community groups needed to be more clearly articulated so that each partner and the public understood them. We're finally getting to that now, and it was certainly our intention to have moved forward with Dr. Rozanski's recommendation.

So we have Dr. Rozanski from 2002 and Norbert Hartmann from 2008, which called for a review of governance, but something else happened. In 2005-06, the Office of the Auditor General of Ontario conducted a value-for-money audit of several school boards in the province of Ontario, and it was released in December 2006. It was the very first value-for-money audit conducted in Ontario's history. It was to assess the purchasing policies and procedures in place at selected boards to ensure that they were adequate, that the goods and services were acquired economically and in accordance with sound business practices. That audit by the Auditor General, the value-for-money audit, looked at not only supplies and services and the acquisition of those supplies and services, it also examined the expenditures for equipment, contracted services, minor capital projects, and—and I think this is an important one—purchasing cards for school board employees.

The Auditor General's report stated:

"To better ensure that goods and services are acquired with due regard to economy and that effective purchasing practices are followed consistently throughout the board, school boards should:

"—ensure that the purchasing department is consulted on all major purchases;

"—ensure that all goods and services are acquired competitively in accordance with board policies...."

The AG's report noted instances of "significant purchases exceeding \$100,000, where boards invited a small number of suppliers to bid instead of using a publicly advertised process. This unnecessarily limited their options....

"For example, for a \$450,000 paving contract, the board invited only three potential suppliers, gave them only five days to respond, and only received two bids....

"In 2001, another board issued an RFP for custodial supplies. The resulting contract was to expire in August 2004. In 2004, purchases under this contract"—as you can well imagine—"exceeded \$300,000. The term of the agreement was extended to August 31, 2006, without obtaining competitive bids. However, purchases in 2006 included certain custodial supplies that were not part of the 2001 RFP. The board was unable to confirm whether it was receiving any discounts on the items not in the original purchase order." You can see all was not well at these boards when the AG did his audit.

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He goes on to state, "To help ensure that only valid school board expenditures," like travel and meals, "are charged to purchasing cards, school boards should enforce the requirements that proper detailed receipts be submitted to support all card purchases and that managers follow up on any unusual expenditures." At one board in particular, the AG noted a number of questionable transactions relating to meal expenses incurred by senior staff at the board, and the AG determined that some senior staff charged expensive meals, and, although it was required by board policy, rarely submitted detailed receipts to support meal charges. The staff submitted only credit card chits.

The following examples illustrate some of the concerns that the Auditor General had regarding meals charged by certain senior board staff. We're going back to a period in 2003 to 2005, when some senior staff charged meal expenses totalling approximately \$6,000 at a local restaurant. There were no detailed receipts ever submitted for any of the meals. We have another example of several senior board employees attending a three-day conference in Toronto and on consecutive nights charging expensive dinners to their purchase cards. On the first night, five staff charged \$114 each for dinner, at a total cost of \$571. On the following night, six staff—most were also from the first night—charged \$172 for each dinner, at a total cost of \$1,036, which also covered the cost of two other guests. Detailed receipts were not provided for these meals. One employee who attended



both dinners charged a total of \$400 in meal expenses over the three days.

In comparison, the Auditor General noted that the two senior board staff from another board that was audited only claimed a total of \$125 each for meals over three days while attending the same conference.

You can see the spending that goes on unchecked, so if there's anything in this bill that would deal with that issue, obviously we support it. But maybe the reason the government passed this bill is that they were concerned as to what happened at eHealth, they were concerned about OLG, and maybe they were concerned that we would raise this as an issue as well and would ask them if they had taken any action to get the spending under control.

You know what goes on here. You've got one cardholder at a dinner showing that \$85 went to alcohol. You have another dinner charge for seven superintendents for \$369, including \$100 for alcohol, even though the board's policies prohibited claims for alcohol expenditures, and the list goes on and on.

It talks about contractors here, their reliance on contractors, the renewal of service contracts without tendering. You can see that in many instances, because there wasn't tendering, public taxes are going out to these contractors that are above and beyond what would be appropriate, and there would be no value for money for the taxpayers. For example, a contractor that was awarded service contracts for various electrical and other services was paid a total of \$1.1 million between March 2004 and January 1, 2006. These contracts were based on generic RFQs rather than a competitive process. In one case, a contractor was awarded a contract for the installation and replacement of glass and was paid a total of \$748,000. Again, only one other contractor was invited to bid.

You can see that the tendering process here at some of these boards was certainly inappropriate, and the board tended to go back to the people who they had been buying from in the past. That's just inappropriate when you're dealing with taxpayer money.

That auditor's report in 2006 certainly was an indication to the Ministry of Education there were some serious problems that needed to be addressed and that all school boards in the province needed to get their house in order.

I want to hesitate here and emphasize that we're only speaking about a couple of boards. The minister obviously needed to do what she could to improve the framework for procurement and expenditure management and provide the necessary oversight—which we know has been lacking when it comes to ministers of the McGuinty government.

The Auditor General's report was released in 2006. Then, of course, we had the whole scenario of excessive spending at the Toronto Catholic school board. The only reason we discovered any of what was going on there was because of the information that was found in newspaper articles that appeared in the press between January

8, 2008, and February 19, 2008, which questioned the expenses submitted by the TCDSB trustees. Of course, it was after that, when media coverage was pretty impressive when it came to detailing the expenses and questioning how this could have happened, that the McGuinty government finally assembled a governance review committee to examine how well the current governance structure is serving Ontario's education system. That's almost three years after the Auditor General's report was published.

There is some disappointment, I know, amongst the public—which does expect this government to be prudent in their use of taxpayer money—that action wasn't taken earlier. There's disappointment that oversight wasn't provided earlier and guidance on appropriate spending wasn't provided earlier by the government. The red flags had been up since 2006, and the government really didn't start to treat this information or this whole issue seriously until the media started to write about it.

I'm going to conclude by saying thank you to school boards and thank you to trustees. I enjoyed being a trustee on a school board. I think for the most part, school boards and trustees take their jobs very seriously. I would say to you most of them do behave in a prudent and fiscally responsible manner. There now are going to be some new guidelines put in place. Roles supposedly are going to be clarified. But I guess the question remains: What is going to happen to boards of education when the regulations come forward? Will they merely become—as in some respect hospital board members have become—people without much autonomy or much power?

I think Norbert Hartmann said this: "Trust and confidence are the currency of political institutions. Where citizens believe that their representatives are acting in the best interest of constituents, and are convinced that they are doing so in an effective ... manner, respect for, and confidence in, elected officials is high. Where these traits are absent, public cynicism and distrust of politicians is the norm.

"Few items have as much power to affect the public's perception of elected officials as the manner in which they deal with the funds entrusted to them. Where politicians are perceived to be using the public purse inappropriately or to further their personal or political interests, public trust and confidence are eroded.

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"High standards for anyone responsible for public funds are crucial to ensure trust and confidence. They are even more critical for politicians since, in most cases, they are their own governing authority."

I hope that this bill will achieve some of its objectives. I hope that this isn't merely a charade to attempt to give more power to the Minister of Education and this government. And I hope that this government will remember these words about accountability because certainly if we take a look at the eHealth scandal, where we've seen individuals relieved of their responsibilities but the minister not assuming any accountability or responsibility whatsoever, if we take a look at OLG where the



government now twice has had a scandal and the same Minister of Health was involved in the first and I guess the oversight the second time wasn't—despite the fact they knew they had problems, they didn't provide any better oversight.

This bill certainly has some merits, but I hope it's going to be accompanied by regulations that will allow trustees to continue to do their job without having the Minister of Education step in at every turn, and I hope that local communities will continue to be able to communicate with their local trustees who are elected in order to ensure that the programming and activities within that school board reflect the interests of that community.

That concludes my remarks, Madam Speaker.

**The Acting Speaker (Mrs. Julia Munro):** Thank you. Questions and comments?

**Mr. Rick Johnson:** I'd like to thank the member from Kitchener–Waterloo for her comments. The primary goal of society is to pass on the knowledge of past generations to the next. I believe that the vast majority of Ontario's trustees recognize that their primary objective is student achievement.

Now, I was elected as a trustee in 1997 and served for 12 years. The year I was elected was the year that the previous government restructured education. I watched and worked with trustees and boards across the province as they struggled to define their roles in an environment where the previous government had stripped over \$1 billion out of the education budgets, and then they wondered why some boards had difficulty balancing their books. I believe they called it “creating a crisis in education.” The member from Kitchener–Waterloo played a huge role in that government.

Before my term as a trustee was ended this past March by the by-election, I was honoured to be the co-chair of the school board governance review committee. I heard from trustees, parents and directors of education. I heard their concerns and recommendations at the meetings that I was able to attend. I am very pleased to see that many of the issues that were raised are in this bill.

School board trustees fulfill a very important role in our communities. They ensure that our province's children are prepared for the future. They ensure that the knowledge of past generations are passed on to the next generations. I believe that school boards are probably the most accountable and open level of government that we have today. It's a local grassroots form of government.

We've heard from people all over the province that this is what needs to be done. Trustees have struggled with their roles over the past few years. This is going to provide clarity. Not everyone will agree with this, but I think the vast majority understand the purpose of what the government's trying to do.

I'm pleased to see the efforts being made for accountability. I always felt as a trustee that I was accountable to my community for student achievement. This legislation will clarify and reinforce this accountability and help school boards serve their communities' needs. I believe this bill is the right place at the right time.

**The Acting Speaker (Mrs. Julia Munro):** The member for Haldimand–Norfolk.

**Mr. Toby Barrett:** From this afternoon's presentation, we know Dr. Rozanski called for a review of school governance, and I appreciate the analysis here this afternoon by the member from Kitchener–Waterloo. We know this bill is following 2006 legislation that allows the Ministry of Education to intervene if a school board cannot balance the books, and that's fine in many cases. But this bill, as I understand it, allows the Ontario government to take over if the students aren't doing well. I'm really not sure what's going to be left for school board trustees to do, let alone teachers and principals within the system. I suggest what we're seeing here is a central command usurping what's left of school board authority, and it smacks of top-down micromanaging, in my view. I do question, as a former high school teacher, just where teachers' responsibilities lie as far as the success of your students.

The bill does cite a number of reasons for doing this, for this kind of intervention: For example, “If 40% or more of the board's schools fall within the bottom 20% of the schools in the province based on EQAO scores”—the Education Equality and Accountability Office scores—and another reason, “If 40% or more of a board's schools have 35% or more students that earned less than eight credits in grade 9, and if 40% or more of the board's schools have 35% or more students that earned less than eight credits in grade 10.” Now, isn't that for the board and the teachers to fix?

**The Acting Speaker (Mrs. Julia Munro):** Further questions and comments?

**Mr. Dave Levac:** I appreciate the opportunity to comment on those of the member opposite. The member from Kitchener–Waterloo indeed has a strong history and a body of contribution in this place, and also in her own community, that I admire and respect. What I did see in her past has been a strong contribution in education, so that's one thing you don't take away from somebody, and I for one, and I know the members in this place, respect that in her work.

She did point out some attributes of the bill that she said she clearly believes her party is going to be supportive of, and voiced some concern over unanswered questions, I think is the best way she tried to characterize it.

The member from Haliburton–Kawartha Lakes–Brock's experience as co-chair is also to be recognized, and thanked for his work as a trustee, and the voice that was being heard that seems to be forgotten here is that there is a consensus that this work needs to be done.

I do have a problem with the member's characterization, and I liken it to the rooster taking credit for the sun shining or rising, of the previous government's actions in education. I noticed that she didn't say the words “Mike Harris,” she didn't say the words “John Snobelen” and she didn't say the words “Dave Johnson” very often in her discussions, but she did invoke somebody that I too respect immensely for his contribution in



education, and that is Bill Davis, lauded around the world for the amount of work he has done in education.

Again, the member was very selective of the comments she made. Some of the credit she took in terms of the respect for trustees was—I have to be careful of how I use my language—making sure that the trustees were highly respected, when all along they said they weren't all that important and wanted to take some of their pay away and they weren't really all that happy. So anyway, good job, member from Kitchener–Waterloo.

**The Acting Speaker (Mrs. Julia Munro):** Questions and comments?

**Mr. Peter Kormos:** I value the contribution that this member brings to this debate and found the comments interesting and enlightening. The concerns about the bill are indeed legitimate, and I for the life of me don't understand how this government, these Liberals, can be so arrogant as to stand there and insist that they're right. Dalton McGuinty did it just a few hours ago. Liberals are right. Everybody else, everybody—It's the biggest conspiracy that the world has ever witnessed. Liberals are right and everybody's wrong, even a whole lot of folks who sit on these opposition benches with a whole lot of life experience, professional experience and parliamentary and governmental experience.

1700

I'm looking forward to the NDP education critic, Rosario Marchese, the member from Trinity–Spadina, who is going to be up in a minute or so. I suspect he will use the full hour that is allowed him as lead speaker for the New Democrats to point out the very, very serious flaws in this legislation, to make the observation, I suspect, that there is far more here than the government would have us believe, and to draw our attention and folks' attention to the fact that there's a whole lot in this bill that undermines publicly elected trustees, that neuters them. Wait till you hear what he's got to say. I've sat down with Rosie Marchese and looked at those sections of the bill, and for the life of me, he's right. So let's pay close attention here. We're going to get an education of our own as Rosario Marchese addresses this specific piece of legislation, albeit flawed.

**The Acting Speaker (Mrs. Julia Munro):** The member has two minutes in which to give a response.

**Mrs. Elizabeth Witmer:** I want to thank the members for Haldimand–Norfolk, Haliburton–Kawartha Lakes–Brock, Brant and Welland for their comments.

We're talking about Bill 177. As I've indicated, we strongly believe in accountability and respect for taxpayers' money. We also believe in student achievement, and we recognize that there is much more to do.

But again, we are concerned about the impact of the regulations. We are concerned that this could reduce the autonomy of local trustees, and as a result there would be little opportunity for parents and people in local communities to provide any input whatsoever, if we are going to have control of school board education by the Minister of Education in Toronto.

I just want to end with this. I got this e-mail from someone who is in education and has been a teacher. The

person says, "I've been concerned for a few years that, thanks to the overly hands-on Minister of Education, the role and local authority of elected trustees has been eroded. As I followed the accommodation reviews in my area for our local newspaper, it became clear to me that our trustees played a bit role in the whole process. I fear trustees are slowly being co-opted to simply parrot the government initiatives and are very much less flexible in their discussion, decision-making, and even accessing their communities and opening up communication with other education partners."

I think what has happened is that those who at first had no fear of or trepidation about the bill now suspect there's more to it than meets the eye.

**The Acting Speaker (Mrs. Julia Munro):** Further debate?

**Mr. Rosario Marchese:** I want to welcome the citizens of Ontario who are watching this political forum. We're on live, and it's Tuesday, 5 o'clock in the evening.

I wish I could say some kind things to the minister today, but I don't have one kind word to say to this government, to this minister, with respect to this bill.

Yesterday I thanked her for intervening in the grandfathering of the Arrowsmith program that the Catholic board here in Toronto was providing. I thanked her for intervening. I know she intervened because Mr. Hartmann left and the new supervisor came in and he was quoted in the papers as saying he wasn't going to change that decision that had been made by Mr. Hartmann. So it's clear that the minister had intervened to bring back this program that helped a lot of students who have special education needs. It's always refreshing to see a government minister decide that a program should be brought back, at least for those who are in it.

I am hoping that there will be many other parents, not just in the Catholic board but in the other public system in Ontario, who will say that we should be supporting innovative, imaginative ways of reaching students where our original techniques are not working. I am urging those parents who have kids in the Arrowsmith programs not to give up the fight to defend the program that works for their children and to continue to defend a program that will work for other children who may need that service once this grandfathering of that program is gone. I thanked the minister for that yesterday, but I have no kind words for this bill whatsoever.

There are two parts in which I will analyze this bill: One, to actually review and comment on the basis of my dissecting of the bill, which I will do in a few moments, and the next part will be to read for the record statements made by the Ontario Public School Boards' Association in response to the consultation on provincial interest regulations, an association that Rick Johnson from Haliburton–Kawartha Lakes–Brock knows all too well, given that he was the former chair of that illustrious organization. I will quote from that paper as well, as a way of reinforcing the arguments that I am going to make, which, it appears, are in full agreement with the former association that Monsieur Rick Johnson used to



lead at one point. When I get to it, I will remind the minister that it has been an association very friendly to this government and to this minister, and they have not too many kind words to say, either.

I will begin by reminding people who are watching, hopefully trustees, hopefully parents, that trustees are elected members. They're politicians who are elected to the board. They knock on doors, as we do. They're not appointed by the government, they're not appointed by this minister; they actually have to go door to door, knock on doors and solicit support to be elected. It's a serious job. The current minister knows it because she made reference to the fact that she was a trustee from 2000 to 2003. The member from Kitchener-Waterloo made reference to the fact that she was a trustee. I was a trustee—I admit a bias—from 1982 to 1990, and I draw on that experience as a way of saying what this bill does diminishes them in a way that even the Tories could not do. I will make reference to that in a brief second.

But trustees are elected. They should have some responsibilities that are not purely and completely defined by the government. What this bill does is to define their role, to constrain what they can do, what they can say. It's a shameful piece of legislation. It is an utterly shameful piece of legislation, and I hope to find stronger words as I go in the next 45 minutes to an hour to be able to decry elements of this bill, the content of this bill in its entirety. It will hurt those elected politicians, and I will say by the end of it that under these conditions and under what is given in this bill, what is written in this bill, it is no longer important to run for school trustee and it is no longer important to knock on doors and get elected given the way this bill circumscribes their role.

I remind you that Mike Harris, in spite of the kind words the member from Kitchener-Waterloo had for the role and responsibilities of the trustees and her praise of school trustees, and her government from 1995 to the year 2000 and beyond were very unkind to school trustees. You will recall that that government decided that politicians—trustees, that is—were too political, and the way to diminish their role was to make sure that they earned a salary that ascertained a diminishment of their role. Where the Toronto board used to make \$45,000 at one point, and trustees in other boards would make \$25,000, \$30,000, \$35,000 or more, their salaries were reduced from that level to an equal dollar amount of \$5,000 per trustee, making sure that no trustee could ever do that job full-time, as I did, having quit as a school-teacher to do that on a full-time basis, and as so many of our trustees of the Toronto board did on a full-time basis, with very little income from any other source. It made it impossible for people earning \$5,000 to be able to do that job full-time.

1710

And I argued, as many others argued, that being a trustee was just as important as being a city councillor. Trustees are elected. Education is as important as what a city councillor does. And yes, there is politics in education. Mike Harris, when he decimated the boards of

education, when he went after school trustees, did a very political thing and depoliticized to the extent possible anything the trustees did and made sure that only the politics of the provincial Tories at the time mattered, that the politics of school trustees had no relevance, should have no relevance in education except for the role that the provincial politicians played in diminishing what school trustees did.

I will remind those watching that the Mike Harris regime sent in supervisors in three boards, in the same way that this minister has done, that the McGuinty government has done. And when they take over boards, it's for political reasons and nothing else. When Mike Harris took over the Toronto board, of which Kathleen used to be a member, they did so because the Toronto board trustees refused to balance the budget by cutting all essential programs. Mike Harris sent in a supervisor to do the dirty deed. When this government, this minister, sent in a supervisor at the Peel-Dufferin Catholic board, it was done for the very same reasons: They refused to cut. They refused to make the \$16-million cuts in programs to balance their budget. And it's for that reason, for that political reason, that they decided to take over that board—in the same way that Mike Harris did it. There is absolutely no difference in the way these two governments have acted in this regard.

So when the member from Kitchener-Waterloo says that they're going to be able to take boards, please, you did it, they did it, and this bill is going to make it even easier to do. In fact, it doesn't even define under what circumstances they're going to do it, but I can tell you, if they've done it so far, this bill will make it easier.

The member from Kitchener-Waterloo talks about micromanaging and the centralization of power. Harris centralized all education financing in a way that effectively made trustees useless. Trustees used to have the power by the mere fact that they were able to raise local levies. And yes, to be sure, some boards had more money than others. The Toronto board did because we had access to commercial property taxes and residential, and that allowed us to raise more money; this is true. We had different needs as inner-city schools, this is equally true, but we had a greater ability to raise more money than some other boards. But whatever the circumstances, trustees had the ability through that local levy to be able to make decisions locally. They no longer can do that. Mike Harris took that away, and the Liberal government has kept that regime in place, which effectively leaves complete control in the hands of the provincial government. All control now is not local but here at Queen's Park, in the hands of this minister, in the hands of this government—any government.

It's not good, it is absolutely not good that boards have no local control any longer. We elect school trustees, but they have no power to effect any change whatsoever. The only power trustees have is, which cuts are we going to make at the end of the year, when we have to balance our budgets? That's all they do now. All they do now is to decide which cuts they're going to



make in order to be able to balance their budgets. That's it; that is absolutely it. It's amusing because the previous government, like the current government, says that whenever there's a problem, a dispute, they say—the minister says it; I hear it all the time—“This is not our problem. You have to go to the boards. Trustees are given the money. Go back to the boards and get what you need from them.” There is no extra money. There is no money.

**Hon. Kathleen O. Wynne:** Five billion dollars.

**Mr. Rosario Marchese:** What boards now do is steal money from one pocket to fix another problem in another pocket. That's all they do, is just move money around. Gerard Kennedy, the former minister, gave money for ESL and, with a nudge and a wink, that money was used to balance the budget. Yet, you've got schools in the northern part of Toronto where 45% of the kids come from other countries and they have no ESL programs. And the government and the minister, I heard her say just a moment ago, get \$5 billion, and yet every year they have deficits and they have to balance their budgets. What it means is—

**Hon. Kathleen O. Wynne:** Five billion new dollars; five billion more dollars.

**Mr. Rosario Marchese:** Listen to the minister, they're getting 5 billion more new dollars. So with all these billions of dollars, how is it that boards cannot somehow balance their budgets?

**Hon. Kathleen O. Wynne:** They can. They all have.

**Mr. Rosario Marchese:** And when the minister says that they can and they all have, they do, and they do it by cutting programs. The supervisor of this minister, Mr. Hartmann, cut the Arrowsmith program, which served 60,000 students and served them well, because it was a special way to reach a student so that he or she is not trapped in that learning difficulty forever. But, given the creativity of that program, Monsieur Brown—I know you're interested in what I'm saying—kids were learning, and that Mr. Hartmann, the supervisor of this government—

**Mr. Michael A. Brown:** I thought it was reinstated.

**Mr. Rosario Marchese:** Can't hear you, Mike.

**Mr. Michael A. Brown:** I thought it was reinstated and we're doing it.

**Mr. Rosario Marchese:** He thought it was reinstated and we're doing it?

*Interjections.*

**Mr. Rosario Marchese:** And what Mr. Hartmann was doing, in order to balance the budget, was cutting essential programs—programs that the trustees were not willing to cut. So the minister says that there's \$5 billion, Mike Brown says that they restored the program, that's great. Why is it that they're having a problem balancing the books? If these \$5 billion are all there, surely we shouldn't be having these problems, and why would we be cutting reading recovery programs?

*Interjection.*

**Mr. Rosario Marchese:** Dave Levac, you're a former principal: the reading recovery program in Dufferin-Peel

Catholic board—reading recovery programs that help kids in the early years so as to be able to read well, catch up and do well and stay well. That's what supervisors do: They cut essential programs out of those budgets. So well resourced are these school boards that they're cutting programs. How could that be? They must be wasting that money, and I'm going to get to that in the bill.

I'm going to start by getting into what this bill does. Let me see if there's a page number here; page 1.

“Purpose of education

“(2) The purpose of education is to provide students with the opportunity to realize their potential and develop into highly skilled, knowledgeable, caring citizens who contribute to their society.”

Okay. I thought that's what schools were doing, but if the minister feels he needs to restate it because it's not there, God bless, now it's in the books. But he makes it appear as if somehow the educational systems that we have, our boards, are not doing this, and that's all they have been doing. That's all that they have been doing, but if the minister wants to add it, that's fine. The next one:

“Partners in education sector

“(3) All partners in the education sector have a role to play in enhancing student achievement and well-being, closing gaps in student achievement and maintaining confidence in the province's publicly funded education system.”

1720

I don't know who the partners are, and I don't know who it includes; the minister hasn't defined it, but I'm sure at some point they will. I'm assuming that the caretakers in our school system have a role to play, that secretaries have a role to play. I'm assuming everybody has a role to play. I don't know how they do that or what resources the minister is giving to these partners to make sure that we enhance student achievement, but let's look at it. Let's see whether the bill speaks to this in any way, because I argue, based on the reading of my bill, that nowhere does it talk about how the partners are going to get help to close the gap in student achievement. I don't know what that means.

The minister made reference to it when she spoke about closing the gap between those who are doing well and those who are not doing well. I asked myself, what does closing the gap mean and how is the minister going to fix that? Because there is no clarity on how that is going to be done. Closing the gap means, in my mind, that student marks are going to have to go up, because that's all the minister talks about. The minister and this Premier say that student achievement is going up based on the EQAO test scores, and that's all they ever say.

So if closing the gap means making sure student achievement increases, I've got to tell you I'm worried, because the worry that I have expressed over the many years with this government is that closing the gap means that they will manufacture, however cleverly done, a way to make sure that student marks go up all of the time and every year, and they've done it every year. The EQAO



test scores go up every year because the government makes sure that they happen.

Now, she will talk about how all the extra teachers have done it. No, no. The minister can say what she wants, but I'm telling you, at the high school level, OSSTF, which has done a study of their members, says that 40% of their teachers complain that they are pressured by their principals to give higher scores, whether they deserve it or not. They are pressured to overlook the fact that assignments are late. If an assignment is late, it doesn't matter. If they need to do the test all over, they can do that, no problemo. If they're late and never show up to class, it's not a problem. There is a whole long list of things that the Ontario Secondary School Teachers' Federation points out by way of their talking to their members that shows that teachers are being pressured by principals, who are being pressured by superintendents, who are being pressured by directors, who are being pressured by this minister to achieve the marks she wants—it could have been a he, but at this moment it's a she. They are manufacturing a result. If that's what student achievement, test scores and the focus on the test and that mark is all about, we're not doing very well by students.

So closing the gap means, for me, finding better, more clever ways to make sure marks go up, no matter how you do it. And if at the elementary level we have to get markers who mark up instead of down, we will make that happen. Markers have to sign confidentiality agreements. They can't speak about why it is they do the job the way they do it. They can't speak. Why not? I often say, "Why can't we let the markers tell us how they're doing their job?" Why? Why does this government force them to sign a confidentiality agreement? I'll tell you why: Because they are being told what to do, how to do it and how to mark those papers.

**Mr. Dave Levac:** Who killed Kennedy?

**Mr. Rosario Marchese:** Dave Levac, you make me smile, and that's okay. That's okay, because I know what you're getting at. The member from Brant is saying that it's a conspiracy theory, and it's very clever of him. Come on.

I've talked to a number of markers, and they're actually willing to speak on the record. They're actually willing to go public because they're not marking any more and they're willing to go public. I can't wait for a journalist to say, "I'm going to cover that story." We're waiting.

There's judgment in terms of how you mark some of those passages and some of those papers. It's not objective; it's a subjective way of marking some of those opinion areas of the test. It's not like, "Oh, here it is and we mark it in a standard way." You're not going to get the same answer in the same way all the time. But markers are always told, "Mark up, not down." And there's vague ways of marking, so that if you just hit the areas that they want you to look at, even tangentially, you get marks. They made the test easier; they made the multiple test easier. They allowed for the test to be taken

for as long as is necessary rather than for a limited time. They've done all sorts of things, and they continue to find better and more creative ways to make sure the marks go up. Yet when they get into university, students are doing as badly as they've always done. Marks are going up, yet students get into university and still can't do what the marks show that they should be doing. If marks are up, those students should be doing better. And yet they're not doing any better except that the mark is up.

If you want to close the gap, you've got to talk about socioeconomic factors that come into play. You've got to talk about mental health. There are problems that are affecting our kids that go beyond an ability of a teacher to be able to solve. And the government and the minister do not speak to those areas. Closing the gap? Unless you close the gap in terms of our social differences, you're not going to be able to achieve the closing of that gap. And Dave Levac, the member from Brant, knows this. He knows this. And the minister knows this, because she's more intelligent than she lets on sometimes. She knows it. How do you solve the poverty question? If a young man, a young girl comes to school and they're hungry every day, they're not going to learn very well. That is a socioeconomic issue. Many kids come hungry, and we don't have programs for kids all over Ontario, as we should. Some boards do it better than others based on their ability to raise money. This government provides little by way of that fund that should help kids to have a nutritious program in the morning. What are we doing about hunger? What are we doing about poverty? What are we doing about those who come to school who have parents who are addicted, either to drugs or alcohol, and they bring that social problem into the school? What are we doing about that?

Unless you deal with that, you can't close that gap. Because an educator can only do what he or she can but cannot solve the social and economic problems that are brought into the school system that impinge on learning. But this government is saying in this bill that they will do that, that they will close the gap, and that if some of them consistently do not close that gap, we're going to take them over. That's what this bill does. I'm going to get to that; I have time. That's what this minister is saying. There's nothing in this bill that speaks to the disparity of social and economic conditions that kids come from that bring problems into the classroom. Poverty is one of them, and mental illness is another. And the fact that if they're living in poor social conditions and they're poor and the parents are struggling, one parent is working, means they don't have the time to spend with their children so they can have better attention, so their kids can do better in school. They don't have that luxury that middle-class, professional parents have to be able to pass that on as part of that cultural capital that allows kids to do better in school. How do you close the gap when teachers are expected to be everything for everyone and solve every problem that comes into the school system? There's nothing in this bill that speaks to that. Where are



the resources so boards can do better at solving those socioeconomic problems and the socioeconomic differences? They're not here.

Page 2: "The Lieutenant Governor in Council may make regulations governing the roles, responsibilities, powers and duties of boards, directors of education and board members, including chairs of boards." What's left? What's left to be done? Why is the trustee here? The minister is saying, "We're going to create, through regulations, everything governing their role, responsibilities, powers and duties." Why do you force them to get elected, for God's sake? Why don't you just appoint them and then tell them, "Okay, boys and girls, this is what you've got to do"? Why don't you do that?

1730

You've taken every possible power that a trustee, a board has to define their role and to express their political power—this particular section takes that power away. It makes trustees utterly useless and meaningless—utterly, in my mind. And she, as a school trustee, ought to know that. Because I know it. That's the way I feel it, and if I feel it this way, it can't be because I'm in opposition. It's because, as a school trustee, I know what this section might do, would do, does to trustees now and in the future.

Page 4, "Every board shall ... promote student outcomes specified in regulations." Remember, promoting student outcomes means doing well in the EQAO test scores. That's what it means. Nothing else. It's not about the whole child, as OPSBA will express in a little while when I get there. It's not about the whole child. The minister knows this because she has read their critique, so she knows it. She says, "Oh, it's not about test scores. It's about other things," which are unclear, but it's not about the whole child. There's no reference here about the whole child. It's about student outcomes and student outcomes are about test scores.

It continues by saying, "Ensure effective stewardship of the board's resources." What do boards do? This line suggests that boards and trustees, individually and collectively, are not ensuring effective stewardship of their resources, meaning they're profligate, meaning they're wasting the money, meaning they're stealing the money, putting it in their pockets or somewhere else. That's what this means.

We're not talking about the economic fiasco that was created in the US, but shared by many in the capitalist world here in Canada, Europe and beyond, where these people were so greedy to make a few bucks, were so happy to make the deals that gave them more money until, in the end, the economic system in the US collapsed for a year and a half or two and it's going last a lot longer. Talk about how one wastes money or takes money and then, in the end, leaves a whole lot of people across the world poor and impoverished as a result of it.

We're not talking about taking that kind of money away from people in the system. We're talking about school trustees, for God's sake. We're talking about the indiscretions of the Catholic school board trustees—some

of them at least. We're not talking WorldCom scams. We're not talking about the taking away of billions of dollars—we're talking billions.

So, please, it's not like boards have money and trustees have money that they have access to that they steal, that's impoverishing school boards. Please. It's not like the Hydro One scandals or the eHealth scandals, which pale in comparison. Come on. Here you have the minister saying, "We have to ensure that boards use effectively the money that is given to them."

"Deliver effective and appropriate education programs to its pupils." Okay. Isn't that what they're doing? What the heck are they doing? What else would they be doing? It may be stating the obvious, one might say, but, please, that's what they've been doing. That's their role. There's more. Please, let me go on.

"Monitor the performance of the board's director of education." Okay. Maybe it's self-evident to me and maybe the minister feels she needs to write that down. Okay, so they're going to monitor the performance of the director. Maybe some boards aren't doing it. I don't know.

Then, "Annually review the plans referred to in clause (e)," and that is to develop multi-year plans. I've got no problem with multi-year plans. I only wish the government did multi-year plans for boards so they could be assured that they're going to get steady, predictable amounts of dollars every year so they can do their job. But that's fine. If we require boards to have a multi-year plan, but we don't require the government to have a multi-year plan, it doesn't matter, I suppose; does it? If the government doesn't have a plan, does it matter? Of course, it matters. This government is saying trustees have to have multi-year plans, but the government is not held accountable to the same levels that the trustees and boards are—

**Mr. Peter Kormos:** And what about the stewardship of tax dollars?

**Mr. Rosario Marchese:** Well, let's get to that. I'm going to get to that.

"(3) Every board shall ensure that the plans referred to in clause (1)(e) include measures respecting the allocation of resources to improve student outcomes that fall below the outcomes specified in regulations made under section 11.1."

I repeat, all that is about making sure test scores go up, and it is doesn't matter how you do it. That's what that is about. When you hear that language, that's what that is about

"Effective stewardship"—it's on the next page. I can't believe how many times the minister makes reference to it.

"(5) Every board shall,

(a) effectively use the resources entrusted to it," which suggests that the resources, the ample resources, given by this minister to these boards have not been effectively dealt with, that that money entrusted to them has somehow been wasted, let out of the barn somehow, just thrown out.



“(b) use the resources”—again she repeats—“entrusted to it for the purposes of delivering effective and appropriate education”—as opposed to doing what? What are trustees doing? They’re using resources so as to not deliver effective and appropriate programs? If that’s the case, who are they, where are they and what have they been doing? Give me some examples so I could feel good about the fact that this is here.

What this is doing is saying trustees are bad, in the same way that Mike Harris did, that trustees can’t be entrusted with the money that this government has been piling on boards, and that somehow they’re wasting it and they’re not managing the resources entrusted to them in a manner that upholds public confidence.

Please, why is it in here? Why isn’t Rick Johnson from Haliburton-Kawartha upset about references to these things? Why isn’t he angry? I’ve got to tell you, in about half an hour he’s going to stand up and do two minutes and say, “This bill is great. This is really good. I’ve been a trustee. This is really good.” How could he not be upset?

**Mr. Dave Levac:** So he’s got to think like you.

**Mr. Rosario Marchese:** No, Rick Johnson from Haliburton-Kawartha has to tell us that the board where he was a trustee somehow was mismanaging the money, that the money entrusted to him was wasted, thrown away. He’s got to tell me that, because he would know; he was a trustee too. We’ll see. We’ll see what he says in a couple of minutes.

**Mr. Peter Kormos:** The next one is a good one, coming from these guys.

**Mr. Rosario Marchese:** The next one, on page 6, part VI—

**Mr. Peter Kormos:** Subparagraph (5)(c)—coming from these guys?

**Mr. Rosario Marchese:** I did say it: “(c) manage the resources entrusted to it in a manner that upholds public confidence.” I did say it.

**Mr. Peter Kormos:** Coming from these guys—can you believe it?

**Mr. Rosario Marchese:** That’s right. It’s all about the image you want to portray. The government is okay, right? Funds that they gather from the taxpayers are dealt with responsibly, managed responsibly, as we’ve seen from the eHealth scandal that we have been pursuing for a while, lately the Ontario lottery agency and so on and so on. So I’m sure the government feels good about the way they’re managing their resources, the way they’re supervising all of the agencies that they are responsible for. If that’s the example, you’re saying, “My god, are we ever in trouble.” I hear you. I hear you.

Page 6, member from Haliburton-Kawartha: “Conduct of members of school boards.” This is a good one, for any of the trustees who are watching or any of you who were trustees before. Here’s what it says:

“A member of a board shall,

“(a) attend and participate in meetings....” Well, what do trustees do?

*Interjection.*

**Mr. Rosario Marchese:** Exactly. So maybe the minister says, “We should state the obvious,” but I find it laughable that somehow you’ve got elected trustees who don’t attend and participate in meetings. Maybe they just get elected and they don’t attend and they stay at home. And maybe when they’re in the meetings they just sit there and—I don’t know—just listen to what the others have to say. Maybe that’s true; I don’t know.

**Mr. Peter Kormos:** You mean like government caucus members in committee.

1740

**Mr. Rosario Marchese:** Like some of the government members who have nothing to say here from time to time. It’s clear to me, even though some of you don’t speak in this Legislature, that you speak outside of this place, that you’ve got a role to play, that you talk, that you attend meetings. I’m assuming you do, that most of you backbenchers do the same. It’s not just the ministers who do the work, right? You guys do the dirty legwork too, right? Of course you do. But how could you write this down, in terms of the code, that you should “attend and participate in meetings”? It’s demeaning. It’s humiliating. It’s embarrassing to even put it down in writing.

And then it says, “Consult with parents.” As opposed to what? You get elected, you go to board meetings, you’ve got to go to school events where you’re talking to parents, and you don’t consult? That means you get elected as a school trustee and you say, “No, sorry, it’s none of my business. I’m not here to consult with you or to listen to you.” It’s embarrassing, Rick. Come on. I hope you’re going to speak to this.

There’s more: “Bring concerns of parents, students and supporters of the board to the attention of the board.” What else would you be doing? Listen to parents and stay mute and have nothing to say when you go to the board? What else would you be doing, Rick? Please, help me out.

I just wonder if there’s anywhere in this bill where it says, “Trustees have the power to come and speak to the minister should there be a problem with education financing or anything of that sort.” I’m looking for any reference in the bill to trustees having the power to say, “My goodness, we don’t have enough monies for special education to help all these kids who have special education needs,” where they’re empowered and enabled to come and speak to the minister and say publicly, “We’ve got a problem here. There isn’t enough money.” Can the trustees say that? It’s not written here that they can. It’s all about making sure that if there’s a problem that he or she hears about, he or she brings it back to the board and that’s it. But if there’s a problem vis-à-vis the government or the minister, it doesn’t say that it’s okay and acceptable; that it suggests is forbidden.

It continues by saying, “Support the implementation of any board resolution after it is passed by the board.” Rick, did you support every resolution passed at your board?

*Interjection.*



**Mr. Rosario Marchese:** You did? What a good boy he was.

**Mr. Rick Johnson:** I was the chair.

**Mr. Rosario Marchese:** Were you always the chair?

*Interjection.*

**Mr. Rosario Marchese:** And before you were just a regular trustee, right? Okay.

The point is that there are times when we disagree with the decisions made by a board. This "Conduct of members" says, "Support the implementation," not, "You have the liberty to be able to say what you like if you disagree." It says, "You will support the implementation of any board resolution after it's passed by the board." It's lunacy. You are elected trustees, elected by people to be able to agree or disagree with a trustee, a colleague, and/or a chair of that board, and/or the board. This code of conduct says, "You will agree and you will support." You will shut up, in other words. It doesn't quite say "shut up," but that's what it says: "You will support it."

"Refrain from interfering in the day-to-day management of the board by its officers and staff." Well, why are you an elected trustee? If I'm elected as a school trustee to deal with education matters, do I or do I not have the power to be able to go into a school, talk to the principal and say, "Here's a problem that's been related to me by a parent. We've got to talk about it and we've got to find a solution to this problem"? This says that they can't interfere in the day-to-day management of the board.

**Mr. Peter Kormos:** Go home and stay away.

**Mr. Rosario Marchese:** Effectively, "Go home." But I thought you were elected by people. I thought you had some power. Why do we elect them if we're telling them that they can't say or do anything? They've got to be muzzled, stay muzzled, and then they can't interfere at all with anything they think should be brought to the attention of a principal or superintendent. Otherwise, it's deemed to be interference.

"Maintain focus on student achievement and well-being." Well, what the heck is that? Minister, what the heck is that? "Maintain focus on student achievement"—what is that? "Okay, your program: You've got to maintain focus on student achievement. Don't think about anything else. There are no politics in education other than student achievement. Stay focused." We should have tapes for school trustees, elected board members—"Stay focused. Stay focused"—and at the board meetings, make sure the chair of the board says, "You've got to stay focused. The bill says so."

Do you see how embarrassing this is? It's humiliating. It diminishes the role of school trustees; I'm telling you. The reason why I'm referring to the bill is so that you get a good idea of what's in it. Otherwise you'll just say, "Oh, it's just Marchese. You know how he is." It's in your bill.

Then it finally says, "Comply with the board's code of conduct"—"comply." Do you understand that, Rick? It's "comply." You have no right to disagree. You have no right to dissent. You have no right to publicly disagree or dissent. You will comply. Am I reading it wrong, Rick? You let me know.

So remember, Mike Harris centralized education financing. This government is centralizing the rest of what remains of any modicum of power that trustees may have had. It simply takes them over completely. They are subjugated; subject to the minister. They are puppets of the minister. They're there at the behest of government or whatever it is this minister says. It's humiliating.

That's why I'm expecting the trustees of this province to fight back in some way, show some courage, I hope. Don't take this lying down. It wouldn't look good on any of you to do that. I'm hoping, as indeed I have by way of what I have received as responses to an article that I have written, "The Beginning of the End for School Boards"—if the reaction to the two-pager that I wrote is any sign of things to come, I am hoping you're going to hear from them, and I'm hoping you're going to have a little fight on your hands.

Next, page 7. My God, there's so much, and so little time.

"The minister may make regulations providing for a code of conduct for board members, including but not limited to regulations ... respecting the rules that may be adopted under subsection.... respecting the powers...." It's more of the same in terms of the minister having more and more powers, if needed, to regulate whatever it is they need to regulate, right there in that section.

Then it says, in subsection (3):

"A board may adopt additional rules as part of its code of conduct for its members and in that case the code of conduct as supplemented by the additional rules applies to the board and its members." And then it says—oh, no. There's so much more. "A member of a board who has reasonable grounds to believe that a member of the board has breached the board's code of conduct may bring the alleged breach to the attention of the board." It's encouraging the snitch component of the trustee.

I'll reread it, Jeff, because you may not have heard it: "A member of a board who has reasonable grounds to believe that a member of the board has breached the board's code of conduct may bring the alleged breach to the attention of the board." Rick, it's encouraging fellow trustees to snitch on the others.

**Mr. Peter Kormos:** It's the rat clause.

**Mr. Rosario Marchese:** It is a rat clause, isn't it? It's the snitch clause. It's embarrassing. It's humiliating. How could some of you not see it? I know you haven't read the bill, but you've got to read the bill once I've spelled out the problems with it, because you're going to feel as embarrassed as I am by it.

"If the board determines under subsection (2) that the member has breached the board's code of conduct, the board may impose one or more of the following sanctions"—if you breached it, here's what they can do, the board chairs and the like:

"1. Censure the member." "Nasty little boy. You shouldn't have done that," in a mild sort of way, or harsh, depending on the breach.

"2. Reduction of the honorarium payable to the member under section 91." And you know how well paid



they are, right? Now they're earning up to \$25,000 or something, so cutting the honorarium could really hurt. It's all they've got. It's all they make. And if you breach some rule that the board, through its additional code of conduct, can impose and introduce, you're going to be penalized. It also says:

"3. Barring the member from attending all or part of a meeting of the board or a meeting of a committee of the board.

"4. Barring the member from sitting on one or more of the committees of the board...."

Do you understand what I'm saying, member from Peterborough, member from Haliburton-Kawartha Lakes-Brock? This is embarrassing. This is treating trustees like they were children. Surely you MPPs that are listening to this are saying, "Gee, I didn't read the bill. Now I should read it because Marchese has spelled it out, and it doesn't look good." You know what I mean.

1750

Page 8—no, we'll move on. I could go to page 8 but I'm not going to do that.

On page 10 it says, "Every district school board shall establish an audit committee." Again, this seems very useful, but do you remember the promise McGuinty made, through Gerard Kennedy, that we were going to have a standing committee to review education financing on an annual basis? Because that's what standing committees do. Do you remember that, Jeff? The Liberal government gave up that promise. It no longer wants oversight, transparency, the ability for people to participate and say, "Hey, by the way, Madam Minister, where is the money going?" How come we don't have an audit committee in the way that was recommended by McGuinty and Gerard Kennedy at the time so that we could review where the money is going in education?

Why is it that we audit boards? We should audit the minister and the ministry in terms of where the money is going, because that's where the money comes from. It, or a portion of it, doesn't come from the boards and the public taxpayer, from property taxes, anymore. It comes from the government, through the minister. Real transparency has to happen at the provincial level, because now it's centralized. Trustees have no power anymore to raise money. They just move money around based on their own local needs and their own local problems and their own local pressures. That's all they do. The only power they've got is to move money around based on the pressures from their community. So while I agree there should be an audit committee, you understand that real transparency has got to happen at the provincial level. Otherwise it's useless. It's nice and convenient to blame the trustees, as if to suggest the problems are at the board level, because we give, as the minister said, \$5 billion. This \$5 billion should have solved all of the problems.

**Mr. Lou Rinaldi:** More, more.

**Mr. Rosario Marchese:** More, yes. The MPPs are even happy to help me by saying "More, more, more," without realizing how comical it is.

The point is that the government promised to change the funding formula, and they never did. There is no transparency in that regard. If the government and if my friend the minister want to set up that standing committee on education finance, she has the power to do so, so that I and others could go to that committee and talk about where your money is going.

*Interjection.*

**Mr. Rosario Marchese:** I know, Dave, you want me to relax. But it's so hard; I've got so much to say.

And then there's another snitch clause on page 14, at the end of the bill—

**Mr. Dave Levac:** Whistle-blower.

**Mr. Rosario Marchese:** Yeah, well, snitch, rat: "(f) Immediately upon discovery"—here we're talking about the directors of the board—"bring to the attention of the board any act or omission by the board that in the opinion of the director of education may result in or has resulted in a contravention of this act or any policy, guideline or regulation made under this act; and

"(g) If a board does not respond in a satisfactory manner to an act or omission brought to its attention under clause (f), advise the minister...." A snitch clause.

No trustee is asked to advise the minister, to tell the minister, "Oh, we've got a problemo here in terms of education financing of a whole lot of things like special education," or the fact that parents are raising \$600 million out of their own pocket, close to \$1 billion out of their own pocket. Now, under a Liberal regime, when this government is saying they're giving \$5 billion more for education, parents every year are raising more and more money out of their own pockets, and student fees at the high school level are going up every year under a Liberal regime. Mike Brown smiles at my comments. That's what's happening under a Liberal regime. It's tough, and it's not going to get better.

Under this bill, these trustees are diminished to the point of disappearing. They have no power. Any discretion, any flexibility, any power they might have had or would have liked to have is gone. That's why I say I'm now of the opinion that we don't need trustees to be elected anymore, not since Mike Harris took the financial power away for local financing and not since the introduction of this bill that takes any discretion or power trustees might have had.

I'm going to go quickly to the comments made by the Ontario Public School Boards' Association, because the minister was glowing about a few comments made by a few trustees. She was commending so many people who think this is great, and I don't know who they are. Other than the few quotes I heard, I don't know who they are, but we'll hear more of it in the hearings, to be sure.

"Ontario Public School Boards' Association Response to Consultation on Provincial Interest Regulations:

"It is important to note that a great deal of member board input on discussion areas that are relevant to student achievement had already been compiled by OPSBA through internal regional consultations held earlier this year as part of the ministry's governance review. In those



meetings, trustees dealt specifically with key question areas in the earlier governance review committee (GRC) consultation that focused on student achievement and board accountability.... However, the specificity of the directions and detailed elements contained in the ministry's current consultation documents go significantly beyond what our member boards considered in the governance review committee discussions, and a great deal of what follows speaks to this departure from expectations.

This is OPSBA. It's the biggest board we have in Ontario. Rick would know how important they are.

"With regard to the timing of the consultation process, OPSBA has advised the ministry both orally and in writing that any consultation is confined to the summer months when schools are closed and no school board meetings are scheduled, means school board members who are so closely affected by the content of the consultation have very little opportunity to contribute. This also applies to key staff members.... The current consultation period began in July and the deadline for response is August 31.

"It is important to note here that a parallel approach in the form of Bill 177 which is not expected to receive second reading until fall"—which we're doing now—"2009 contains related draft provisions concerning the duties of school boards.... Indeed, the ministry's introductory comments in its consultation paper intertwines the two processes and the question areas in the paper anticipate the passage into law of Bill 177. Because of this, OPSBA finds a certain element of prematurity in posing detailed questions based on legislation that has yet to be passed. It also leads to confusion.

#### "Consultation Paper—General Response:

"Overall, in responding to content of this paper, we do not take issue with the prime importance of a focus on students and their success, nor board accountability, nor transparent reporting to parents, community and the Ontario public. In fact, these are key values for us and the cornerstones of our commitment to an excellent system of public education," which I was saying earlier is what trustees have been committed to forever.

"Our association has recently reaffirmed as a priority the need to actively promote services and conditions that support meeting the needs of the whole child—social, emotional, psychological, physical and intellectual—since well-being in all these areas has a significant impact on a child's success. This is recognized in the United Kingdom. It is notable that the UK Select Committee on Children, Schools and Families has raised concerns about how the results of standardized testing are overused and inappropriately used...."

It's good to quote this from OPSBA because that's what this government has been doing the last six or seven years they've been here.

"We remain unconvinced by the government's assumption that one set of national tests can serve a range of purposes in the national, local, institutional and individual levels.

"We recommend that the government sets out clearly the purposes of national testing in order of priority and, for each purpose, gives an accurate assessment of the fitness of the relevant test instrument for that purpose, taking into account the issues of validity and reliability.

"We believe that the system is now out of balance in the sense that the drive to meet government-set targets has too often become the goal rather than the means to the end of providing the best possible education for our children," which, as I have said in my remarks, is what this government is all about. It's about the test scores. That's all they care about, and this is what the UK is saying in response to it.

"It is our understanding that the UK government has backed away from a punitive, top-down, narrow numbers-driven model for assessing school success, something that Kathleen Wynne, the minister, is still committed to.

"Despite the references to the ministry's intention to provide supports to boards to improve student outcomes, it is difficult to ignore that the overall tone of the consultation document is punitive and appears focused on the path to ministry supervision of a board. This does not reflect the supportive relationship that has been built up between the ministry and school boards over that last six years," Rick.

"Some of the language in the introduction section is particularly offensive. For example, 'Boards of trustees become distracted by day-to-day issues which take their focus off the long term.'" I can understand that trustees would be offended by such a remark. That was in the consultation paper that, presumably, the minister supported. "This is a patronizing statement that paints an unfair and negative picture of all school boards.

"The consultation paper addresses in detail what would be required of school boards and has little to say about the corresponding responsibilities of the Ministry of Education or the government. For instance, not listed as issues that have considerable impact on a school board's scope to focus on student achievement are: frequently changing provincial education policies, the number of policies issued, overcentralization, an over-emphasis on specific absolute outcome aspects of EQAO, delays in a comprehensive approach to education funding, the labour relations climate and an element of micromanagement by the province which is reinforced by the detailed elements contained in this consultation paper."

Minister, this condemns that report. It condemns your approach to this issue.

It says more:

"In OPSBA's input to the GRC, our members placed considerable emphasis on the need for school boards, the ministry and the government overall to focus on the whole child. The consultation paper refers to 'student outcomes,' 'effective stewardship' and 'student well-being' but, beyond a brief definition, doesn't explore these further. In discussing well-being there is no reference to the significant issue of mental health ... socio-

economic and other demographic factors in a school's or a school board's catchment area...."

There's more that they say, and I have no time to continue to say it. But OPSBA is dead-on in their criticism of where the government was going.

I am telling you this is a bad piece of legislation. This is a serious diminishment of the role of school trustees. I am expecting that any reasonable-minded trustee who wants to do a good job, for which he or she is elected, should fight this bill, and fight it aggressively and strongly.

I'm urging parents who are following this debate, with whom trustees work: You are affected by this. If you don't have effective trustees, your voice and your role are

diminished and lost. This is about parents as much as it is about trustees. If trustees are not actively engaged and cannot criticize the government and have codes that prevent them from saying what they want to say, the role of parents is diminished. Please come to committee. Come and depute. Come tell the government what you think. Call us and tell us what you think about this bill. We're available to talk to you. I hope you will do that. Thank you.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mrs. Julia Munro):** It being past six of the clock, this House stands adjourned until 9 a.m. tomorrow.

*The House adjourned at 1803.*



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Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Attorney General / Procureur général
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough–Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
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Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
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<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
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Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
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<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough–Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
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Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Flynn, Kevin Daniel (LIB)	Oakville	

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Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
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Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
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<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	



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<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin—Middlesex—London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough—Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches—East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London—Fanshawe	
Ramsay, David (LIB)	Timiskaming—Cochrane	
Rinaldi, Lou (LIB)	Northumberland—Quinte West	
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Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton—Mississippi Mills	
Tabuns, Peter (NDP)	Toronto—Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga—Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton—Kent—Middlesex	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West—Nepean / Ottawa-Ouest—Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth—Wellington	Minister of Revenue / Ministre du Revenu
<b>Wilson, Jim (PC)</b>	Simcoe—Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener—Waterloo	
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakubuski, John (PC)	Renfrew—Nipissing—Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	
Vacant	St. Paul's	

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Maria Van Bommel  
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No. 162

N° 162

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 39<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 16 September 2009**

**Mercredi 16 septembre 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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Service du Journal des débats et d'interprétation  
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Publié par l'Assemblée législative de l'Ontario

## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 16 September 2009

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 16 septembre 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

*Prayers.*

### ORDERS OF THE DAY

#### ONTARIO LABOUR MOBILITY ACT, 2009

#### LOI ONTARIENNE DE 2009 SUR LA MOBILITÉ DE LA MAIN-D'OEUVRE

Mr. Flynn, on behalf of Mr. Milloy, moved second reading of the following bill:

Bill 175, An Act to enhance labour mobility between Ontario and other Canadian provinces and territories /  
Projet de loi 175, Loi visant à accroître la mobilité de la main-d'oeuvre entre l'Ontario et les autres provinces et les territoires du Canada.

**The Speaker (Hon. Steve Peters):** Debate?

**Mr. Kevin Daniel Flynn:** It's a pleasure to rise this morning. With the Ontario Labour Mobility Act, 2009, our government is going to be strengthening the economic opportunity for our own workers, for other Canadian workers and for industries by making full labour mobility the law in the province of Ontario. If passed, the act we have before us is going to allow Ontario to meet its obligations under amendments to the Agreement on Internal Trade, the AIT, which was ratified by the provinces and territories on August 11 this year. The amendments are intended to remove labour mobility barriers that certified workers in regulated professions and skilled trades in the province of Ontario and in Canada currently face when they relocate to another part of our country.

These changes will allow individuals to move freely across Canada. It will allow them to work where they choose, where opportunities exist and where their skills are needed. In Ontario, the changes will affect about 80 of the regulated authorities and about 300 occupations that Ontario citizens are engaged in. Those occupations are as varied as nurses, teachers, architects, engineers, mechanics and many, many others.

By providing full labour mobility for these professions and trades, we're going to strengthen Ontario's economy and our national economy by improving the productivity

and competitiveness of both our economies. This act is going to help industries address changing labour market needs and is going to take advantage of opportunities in the growing sectors of our economy. It's going to support the right of Ontarians, and indeed the right of all Canadians, to live and work where they want in our country.

This bill springs from the shared commitment of all Canadian provinces and territories and the federal government to eliminate or reduce labour mobility barriers. In July 2008, at a meeting of the Council of the Federation, Canada's Premiers all recognized that achieving full labour mobility is critical to meeting the country's labour market demands. At that meeting, all the Premiers also agreed in principle to amend the Agreement on Internal Trade, whose acronym is AIT. The AIT is a national agreement. It's been signed by the federal, provincial and territorial governments, and it commits all parties to work together to remove barriers to the movement of persons, goods, services and investments within our country.

The AIT is not new. It was signed in 1994. It came into effect on July 1, 1995. Chapter 7 of the AIT focuses on removing labour mobility barriers within the regulated professions or the skilled trades. However, the 1994 agreement had only limited success, and that's primarily because it lacked strong enforcement mechanisms and because the commitments to labour mobility within the agreement at that time were not made clear.

As we move forward on this, we can look at some of the examples where many regulators still require out-of-province applicants to actually reside in the province before they can be certified. That means that somebody in Ontario who perhaps is moving somewhere else to practise their profession would have to move first and then become certified. Other examples of where restrictions lie today are those that impose requirements for additional material training, experience, examinations or assessments on out-of-province applicants, but those applicants are already certified by another Canadian regulator.

In other words, what's happening today and what we need to change is that if these individuals cross a provincial border to find work, they have to complete all over again the certification process they've already completed in another jurisdiction. It costs money, it costs valuable time and the recertification in an occupation or trade they are already fully qualified in may be absolutely unnecessary.

The issue is particularly important for new Canadians. We have to ensure that new Canadians who move to our country from other countries and who are already quali-



fied to practise a profession in one province are not asked to recertify when they get a job in another province. Changes to the AIT that are included in this bill ensure that this protection is provided.

As of August 11, amendments to the AIT were ratified by all jurisdictions that commit the federal government, all the provinces and all the territories to removing labour mobility barriers that are currently faced by certified workers in the regulated professions and in the skilled trades. Amendments to chapter 17 of the AIT that put in place stronger mechanisms that will allow us to enforce the agreement and resolve disputes are expected to be ratified later this year.

Under the amended AIT, jurisdictions can now apply for exceptions to labour mobility, but only when they protect the public interest in such areas, perhaps, as public security, the health and safety of their citizens, or for environmental and consumer protection. This is not a race to the bottom, however. This is about giving more people more opportunity to work where they're able to find that opportunity within our country.

Now, there are differences in some occupations between the jurisdictions that currently exist in Canada, and we're balancing our goal of full labour mobility with the other responsibilities that we have, one of those being the need to protect the public and consumers. The AIT is going to require that exceptions to labour mobility be published on a national website maintained by the Forum of Labour Market Ministers. In Ontario, that will mean that exceptions that are supported by the Ontario government would be posted on a website maintained by the Ministry of Training, Colleges and Universities.

Exceptions must be posted on a website, and they can be challenged by the other provinces and territories in the confederation. Jurisdictions that fail to meet their obligations to remove these barriers to labour mobility face strong enforcement measures, and that's how it should be. Enforcement measures include penalties that range from a quarter of a million dollars for the smallest provinces and territories up to \$5 million for the largest, Ontario being one of those.

0910

The amended AIT also encourages provincial and territorial regulators to reconcile differences in advance in the occupational standards, but clearly maintain the ability of all jurisdictions to set standards that they deem appropriate—which means in the province of Ontario, control over the standards would still reside with the government of Ontario.

The importance of labour mobility in this can't be overstated. By endorsing changes to the AIT, all the Premiers in the country recognized that labour mobility will become an even more important issue in Canadians' economic lives and the country's economy over the upcoming years. This is certainly true in Ontario. I think all members would agree with that.

Demographic projections show us that Ontario's labour force is aging as we speak and will grow at a much slower rate in the future. Projections also show that

through to the year 2030, Ontario's labour force will grow at less than 1% per year. That's half the growth Ontario experienced during the past 25 years.

Interprovincial migration is becoming more important as a means of meeting labour market demand in Ontario and in the rest of the country. But we need to make the process more efficient by lowering barriers to the movement of skilled workers, while still maintaining the integrity of the system.

Many occupations currently have a relatively high degree of mobility. By introducing this bill, we're going to make certification even more efficient for qualified and skilled individuals who want to move to Ontario to succeed in Ontario's changing and growing economy. Full labour mobility is expected to support labour market demand in the growing sectors of Ontario's economy, such as the health-related occupations.

If you look around the province of Ontario, if you look around the country, you'll see that many workers in skilled trades already enjoy full labour mobility, and that's thanks to what we call the interprovincial standards red seal program. The red seal program, for those of you who aren't familiar with it, sets common occupational standards across Canada for many of the trades. The standards are developed and endorsed by the industries themselves. Workers with the red seal can work anywhere in this country they want, anywhere their skills are needed. They are highly employable because employers already know in advance, as soon as they see that red seal, that they've got the skills and the knowledge the employers need to get the job done. Ontario's ongoing commitment to the red seal program is specifically mentioned in the proposed legislation that we have before us today.

The amended AIT and our proposed legislation both support the red seal program as a model for achieving the full labour mobility we want to see, and also for achieving the national standards of excellence for training and certification in the skilled trades.

Workers who currently have red seal certification will continue to enjoy the full labour mobility that they enjoy today. But the AIT amendments go further than that. They also provide labour mobility to certified trades and workers in non-red-seal trades that have been matched across jurisdictions.

Here in the province of Ontario, our government has been working through the industry advisory committees that exist for these trades to determine matches, where feasible, acceptable and desirable.

The Ontario government is going to continue to support industry in maintaining and expanding the red seal program as the Canadian standard of excellence for training and certification in the skilled trades, and we should be especially proud of that.

Our labour mobility provisions attempt to strike a balance between ensuring full mobility for all certified workers in the skilled trades through the AIT and the red seal program, while supporting and preserving the very high standards that we have for certification right here in the province of Ontario.



For Ontario workers in the trades that have been matched under the AIT process—and some of those would be automobile transmission technicians, autobody repairers—the changes are going to provide them with a mobility that they don't currently have today. It's going to provide them with new mobility to pursue those same employment opportunities and increased opportunities throughout the entire country.

Ontario's support for full labour mobility also extends to the economic partnership agreement that was just signed with the province of Quebec on September 11. That agreement includes a labour mobility chapter. Both the province of Ontario and the province of Quebec agreed to remove labour mobility barriers for certified workers that are consistent with the amended AIT. This agreement builds on the 2006 construction labour mobility agreement that was signed between the two provinces. But it also includes something expanded. It includes a new process that's designed to expedite complaints and head off any potential labour mobility disputes between the jurisdictions.

The elements of the legislation, I think, should meet with the favour of this House. I'd like to describe some of the key elements of the proposed legislation. If Bill 175 is passed, it will establish a labour mobility code to guide how Ontario's regulators will support full mobility for out-of-province workers who are already certified by another Canadian regulator in another jurisdiction in the confederation. The bill is going to establish in law the fundamental principle of the AIT; namely, that subject to limited exceptions, a worker certified to work in a regulated profession or trade in one province or territory in the confederation will also be certified in that same occupation in Ontario without having to complete additional material training, without any additional experience, without any additional examinations and without any further assessment. The bill will also allow certified workers to apply for certification within the province of Ontario without having to be a resident of the province of Ontario at that time.

The bill is very clear. It sets out the standards, and it's going to recognize the authority of Ontario's regulators to set the occupational standards that are considered appropriate to protect the public interest in our province. But it's also going to encourage regulators to work with their colleagues across our country to reconcile any differences in standards that exist and to clear them up and mitigate them where possible. The bill would allow the responsible minister to review the responsible practices and take all necessary steps to ensure that those practices indeed comply with the labour mobility code.

The bill requires that any changes to training standards or to the scope of practice by a jurisdiction must also be communicated to all other jurisdictions within the country. This process is going to enable other provinces to determine whether or not changes that are made in other jurisdictions comply with the respective training standards within their own jurisdiction and, for the purposes of this bill, within the province of Ontario.

I mentioned earlier that strong enforcement measures are very important, and this bill is going to establish those strong enforcement measures. Some of the enforcement measures that are being strengthened would include giving the Ontario government the ability to impose administrative penalties on non-compliant regulators. It would provide the Ontario government with the authority to comply with a dispute resolution process that is already established under the amended AIT. It would establish the province's right to recover any penalty imposed by an AIT panel against Ontario resulting from non-compliance by any one of the regulators. The bill is going to amend Ontario's existing laws to conform to the labour mobility code.

If Bill 175 is passed, the following provisions will take effect immediately upon the act coming into force. The act will override any other provisions in any other act, regulation or bylaw that are in conflict with the labour mobility code. The act will apply to applications for certification made on or after the day the act comes into force or to any other application that has been applied for but where a final decision has not been made. To ensure transparency, the act will require regulators to publish on their websites all of the certification requirements that workers already certified elsewhere in the country must meet in order to work in our province, right here in Ontario.

#### 0920

Since last summer, our government has been working with the provincial regulators, with industry and with stakeholders to discuss the changes under the amended AIT and to help them to meet their new obligations. Through these discussions, Ontario has been able to eliminate or reduce barriers to labour mobility and keep possible exceptions to an absolute minimum. Discussions with the regulators about implementation will continue during the legislative process and over the coming weeks and months.

The Ontario Labour Mobility Act, if passed, would make full mobility for certified workers in the regulated professions and skilled trades the law in the province of Ontario. The act would allow Ontario to meet its obligations under an agreement approved by all Premiers and the Prime Minister. It's aimed at removing mobility barriers across this country. Ontario needs full labour mobility to strengthen our productivity, to strengthen our competitiveness and to address the changing labour market needs that we all know are coming.

I would urge all members of this House to support the economic opportunity that's contained within this bill. It's going to support Ontario's improved productivity and competitiveness. It's going to support the right of all Ontarians and of all Canadians to live and work where they choose in our great country. By supporting Bill 175 in this Legislature, all members will be supporting a bill that is going to mean increased productivity, increased competitiveness for our own economy, and increased opportunities for Canadians who currently reside in the province of Ontario, those who reside outside of the



province of Ontario and those immigrants who are considering moving to this great country to be part of the economic growth that we're experiencing.

I would ask all members of the House to give this bill strong consideration and give it their support.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? The member for Nepean—Carleton.

**Ms. Lisa MacLeod:** Thank you very much, Mr. Speaker. I just want to say congratulations for once again being in the chair. I hope you had a lovely summer, and it's wonderful to see you again.

It is a pleasure to be able to add comments to Bill 175, the Ontario Labour Mobility Act. It's a good thing that the Minister of Municipal Affairs and Housing is here, of course. He and I are on the boundary of another great province in this confederation, the province of Quebec, so I think it's significant that he is here to listen to the concerns of the Progressive Conservative caucus on Bill 175, the Ontario Labour Mobility Act.

Of course, the position of the PC Party is that we support this legislation in theory, but the key issue in this bill is on the exemptions that this bill allows that have yet to be established. I think that is critical if we are to move forward in this Legislature to deal with the labour mobility inequalities and equities between our two provinces. This bill is to fulfill Ontario's labour mobility obligations under the Agreement on Internal Trade. This bill would recognize certification in other provinces in which apprentice-journeymen ratios are 1 to 1, despite the minister refusing to revise those ratios in Ontario. That is something that you will recall we have been raising on this side of the chamber for literally the last couple of years. It is one of those big issues of concern that we have for our apprenticeships and journeymen across this province.

Of course, I am very proud that in Nepean, which I share with the Minister of Municipal Affairs, we have probably one of the greatest trade centres coming online at Algonquin College. We are very, very proud, regardless of political party or stripe, in the city of Ottawa to have such a great training ground for tomorrow's journeymen and skilled tradesmen and women.

I just want to point out in the few seconds remaining that Ontario is the first province in Canada to introduce this legislation, which will essentially open up our borders to workers from other provinces before they open up their borders to our workers. This is a serious piece of legislation, and we will continue to—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments? The member for Beaches—East York.

**Mr. Michael Prue:** Thank you very much, Mr. Speaker, and indeed it's an honour to see you back in the chair as well.

I listened intently to the member from Oakville as he outlined the government's position. I think New Democrats feel that this is a very complex bill and are urging some degree of caution as it works its way through to make sure that we get it right, because there are some

potential pitfalls that we know may ensue. We know that this bill is similar to the provisions set out in NAFTA and how that has impacted the provinces as well as the federal government.

We are urging some caution because the member quite correctly said that the provisions of this bill "will override any other law." We are cautious about this because the laws that have been built up in the province of Ontario are designed to protect workers in the province of Ontario or designed to protect the public and the public interest of the people of Ontario. To have a bill such as this that which will override virtually every other law, we need to make sure that we get it right.

The member from Oakville also talked about how this will guarantee the right to live and work anywhere in the country. Well, I don't think this bill is going to do that. The Constitution of Canada already provides that right. Any Canadian citizen, any permanent resident, any person who is resident in Canada has mobility and is free to travel from one end of this country to the other without let or hindrance. The only thing this is going to do, quite frankly, is to possibly extend the constitutional right to allow people to take their credentials with them.

As I said, we need to be very cautious and proceed with some considerable care as this bill works its way through.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Stormont—Dundas—South Glengarry.

**Mr. Jim Brownell:** It's a pleasure to take part in this debate for even a few minutes. Stormont—Dundas—South Glengarry being a border constituency with the province of Quebec, this is certainly a bill that is of great interest to the constituents in my riding. When I think of the comments that I've heard in the past, and being closely associated with my good friend from Glengarry—Prescott—Russell, his being a border community too with the bridge at Hawkesbury, there have been problems in the past. It was certainly exciting last year to hear that this was on the agenda of the Council of the Federation when the Premiers met and agreed to amend the Agreement on Internal Trade, which would reduce the barriers to those in regulated occupations who wished to work in other provinces.

This agreement, originally signed in 1994, has had a number of problems over the 15 years. With this agreement and with this act, Bill 175, we're hoping to create opportunities that will reduce those barriers and, as the member from Oakville said, give all citizens in our province equal opportunity, especially when I think of new immigrants and the barriers they face as they come into our province. For those immigrants who are skilled, who have the knowledge, who have the understanding, they will be able to get into the workforce and be part of the economic recovery and the economic success of our province.

I certainly support this and look forward to its passage.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? The member for Durham.



**Mr. John O'Toole:** I'd like to commend you, Mr. Speaker, and it's good to see you back in the chair. I don't know what all the fuss is about; you've been there for, some would say, too long.

*Laughter.*

**Mr. John O'Toole:** But anyway, the real issue here is that labour mobility is an ideal state. Certainly the member from Stormont-Dundas-South Glengarry mentioned a timely issue, which is the mobility of Quebec to Ontario, but the lack of mobility of Ontario to Quebec. That's really an important issue. In fact, we had a piece of legislation when we were in government that was called Fairness Is a Two-Way Street. I can remember Minister Flaherty standing on the bridge between Quebec and—

**Hon. Jim Watson:** It didn't work.

**Mr. John O'Toole:** It didn't work, quite honestly. I'm being very honest. What I'm saying here is that this won't work either. This won't work because this bill here—it says the bill will not affect labour mobility with Quebec, although the government is currently working on negotiations. They've been talking about that for 20 years.

Now, I'm not trying to be disparaging of the bill. That's not my point. Let's deal with the facts the way they are, the way they exist. Let's not have illusions here that are not founded in fact.

0930

I think this Agreement on Internal Trade is a perfect state, but what we've got to be worried about is the issue of standards and quality. We cannot be seen to be, or even in reality, lowering standards. I'm going to mention two. The CAs, the chartered accountants of Ontario, are a unique brand of accounting. We don't need to lower standards in public auditing and accounting—so other provinces don't have those standards? The other that I'm aware of at the moment, and I'd encourage viewers to call me because I'm genuinely interested because I have a degree in this area, a labour economics degree—but opticians as well. Opticians in BC have four months of training; in Ontario, they have four years of training. They are able to do refractions and other kinds of medical procedures which could cause—this is where we'd like to end up, but this bill doesn't get us there.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Oakville, you have two minutes to respond.

**Mr. Kevin Daniel Flynn:** It is a pleasure to respond, and thank you very much for the comments from the other members, specifically those from Nepean-Carleton, Beaches-East York, Stormont-Dundas-South Glengarry, and I believe the member from Durham was actually supporting it in his comments, I think. I took his comments to be constructive. In his crusty, usual demeanour, I think he was trying to be nice, and I think I'll take that as being a constructive comment.

I think all members of the House, and certainly all those who have spoken, myself included, recognize that we live in changing times and that Ontario is really not immune to some of the pressures that affect our econ-

omy. It wouldn't be unusual, and I think when you look at the demographic trends of the future, it's not unusual to think that we're going to have to attract a number of workers to this province because we have an aging workforce. Also, at the same time, I can think of a number of my own colleagues, and probably any one of us around the House today could think of people who have moved to other parts of the country, either permanently or on a temporary basis, to achieve economic opportunities in those jurisdictions.

What this bill is, it's an aid to allow the passage of that to happen in a much more coherent and much more efficient way than it's happening right now. Other places, for example, in other trades, you may have to move to a different province, then set up a residency, then apply for certification, then take an examination, then perhaps take extra training, when really, in effect, you had the qualifications to begin with. We need to put an end to that sort of inefficiency in the mobility of skilled labour and otherwise in this country. This bill goes a long way towards doing that. I hope we can work out some of the differences that may exist between some of the comments that have come forward and allow this bill to move forward.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? The member for Sarnia.

**Mr. Robert Bailey:** Again, I echo others' comments; it is a pleasure to see you back in the chair again this morning.

It is a pleasure for me to rise today to speak on Bill 175, the Ontario Labour Mobility Act, 2009. First, unlike other bills that have been debated this week, at least this bill is substantial. It amends six different acts and comes in at a whopping 32 pages. I think the climate change bill only had a grand total of three pages, and that represented the McGuinty government's attempt to stop global warming.

However, in regard to Bill 175, our party has some significant concerns with this bill, and I would urge the government to fill in some of the blanks before we move much further on this bill. Having said that, we want this bill before committee because we want to hear from the stakeholders what they think of it and the ways that the government could make this bill better.

Make no mistake: The Ontario Progressive Conservative Party is the party of free trade. We will support any government action that reduces barriers to trade. We believe that if we want to grow the economy, we need to stay away from protectionist feelings and embrace free trade in every way. We are concerned that this bill is just a ruse when it comes to free trade. This bill could actually create more barriers to trade.

I think it is fair to say that we want to support this bill. This will help lower internal trade barriers, and that is a noble goal. However, the cart seems to be coming before the horse on this. We understand that this proposed piece of legislation will support Ontario in meeting its labour mobility obligations under the Agreement on Internal Trade. Everyone in this House will know that the Agreement on Internal Trade is an agreement between the provinces, territories and federal government.



One of our concerns with this piece of legislation is that if passed as it is, it would establish a labour mobility code for regulatory authorities in Ontario. The code, according to the bill's compendium, will govern how regulatory authorities treat applications from individuals already certified in the same occupation by a regulatory authority in another province or territory.

According to the material provided by the government, this bill would set out the core rule that, subject to some exceptions, an individual certified in an occupation in one province or territory is to be certified in Ontario in that same occupation without requiring additional material training, experience, examinations or assessment. This bill, if passed, would recognize certification in other provinces in which apprentice-journeyman ratios are 1 to 1 despite the minister's refusing to revise those ratios in Ontario. This will put Ontario apprentices at a disadvantage in trying to find skilled trade jobs.

This seems to fly in the face of everything this government has said about apprenticeship training. For years now our party, the Ontario Progressive Conservative Party, has wanted the government to reduce the apprenticeship ratios from 3 to 1 to 1 to 1, like most of our other competitors. These are the people to whom, with this bill, we are opening our borders. Now, whenever we say that the government should reduce ratios so we are competitive, they say we would be sacrificing quality and safety and it just can't be done. We believe it can be done and that it should be done so that our workers can compete on a level playing field with workers in other jurisdictions.

We understand that Working Families seems to have some Svengali-like hold on the government of the day when it comes to lowering apprenticeship ratios, but if we don't change, we run the risk of not being able to meet the labour demands of the future. I would hope that for once this government will ignore their friends at Working Families, embrace a reduction in apprenticeship ratios and tell their friends it's the right thing to do for our young people and the right thing to do for Ontario. If the government changed the ratios so that it took one journeyman to train one apprentice, it would immediately open up thousands of apprenticeship positions and would open the door for good, high-paying jobs for our young people. Currently, Ontario's ratios are far behind most provinces, including British Columbia, Alberta, New Brunswick and Manitoba. We are near the back of the pack when it comes to fairness for skilled workers. The Premier and the minister should stop catering to special interests and unions at the expense of providing opportunities for young Ontarians.

This government continually talks about how important skilled trades are for young people, yet they obstruct every employment opportunity through these unfair ratios. Not only does this affect people who want to go into the trades, but it hurts small businesses across Ontario, not hiring the skilled employees needed to replace retiring workers or to meet growing workloads. Under Bill 175, those jobs will be filled by out-of-province

workers who will have unfettered access to our market. Our workers could compete if the government would let them.

Here we are now debating a bill that will make it easier for tradespeople who have been trained in other jurisdictions, with different work ratios, to come in and get high-paying jobs at the expense of Ontario workers. This situation exists because this government has chosen to take no action on the reduction of apprenticeship ratios. Since this bill was introduced in the spring, many stakeholders have come forward with some fairly significant concerns. Our self-regulating health providers, such as optometrists, have indicated that they will have to seriously look at how they train new optometrists so they can compete with jurisdictions that don't have as rigorous a training program. They have told us that in British Columbia, for example, optometrists are fully trained in their jurisdiction after only six months; in Ontario it takes four years.

We need guarantees from this government that as we open the door to trained individuals from other provinces, that doesn't start a race to the bottom, where you have to accept only minimal standards. Given that this bill opens the floodgates, our party is hopeful that it is a sign they will be reducing the punishing apprenticeship ratios under which our apprentices have to be trained. That way, the playing field can be levelled and we will be able to compete.

**0940**

I should point out that Ontario is the first province in Canada to introduce this legislation that will essentially open up our borders to workers from other provinces before they open their borders to workers from Ontario. One of the questions we need answered before we proceed much further with this bill is, what commitments does the minister have from his counterparts in other provinces for their enabling legislation? What are their time frames? I think we would want to proceed in a fashion that opens all jurisdictions at the same time.

As it is written, Bill 175 would make it illegal for an Ontario regulatory authority to require that an applicant who is a resident of another Canadian jurisdiction be an Ontario resident as a condition of certification. Additionally, a municipality could not require that an individual reside in the municipality's geographic area as a condition of eligibility for employment. This is something, obviously, that makes sense if you're only truly interested in the free mobility of labour. However, this bill does throw up some fairly significant roadblocks to the free mobility of labour.

One is that an Ontario regulatory authority would be able to impose a certification requirement that the government has adopted under article 708 of the AIT. A regulatory authority would also be able to require that applicants demonstrate proficiency in English or French if they did not already demonstrate an equivalent proficiency. One concern we have in this area is that this could be a bar to new immigrants who are residents of our province who could have skills but, if they don't have



proficiency in English or in the other official language, French, could be unduly harmed.

Our party believes strongly that this bill will be a barrier to new Canadians as they try to enter our workforce. One of our new leader's goals is to make Ontario the economic powerhouse that it once was and to do what we need to do for new Canadians to be full participants in our workforce. By forcing individuals to demonstrate proficiency in English or in French, we may be blocking many highly trained, fully credentialed individuals from becoming certified.

By way of an example of why this is a problem, according to Statistics Canada, in 2006 the population of the city of Markham was 261,573 people, of which 103,440 said that the language they used at home was neither English nor French. The members for Oak Ridges–Markham and Markham–Unionville should know that their constituents will be very interested to learn that their members of the Legislature are creating barriers to employment for new Canadians.

We are not the party of picking winners or losers; that's the group on the other side of the House. This provision tries to pick winners and losers, in our opinion. Let the market decide. Accept the credentials, regardless of language. This highlights why we are concerned about this bill. We believe that under the guise of fair trade the McGuinty government may be throwing up more barriers, not removing them. With the right kind of amendments, our party could support this bill.

There are provisions in Bill 175 that ensure that credentialed individuals from other jurisdictions have to be in good standing in those jurisdictions. For example, the act specifically states that an Ontario regulatory authority would be able to refuse to certify an individual or impose terms, conditions or limitations on the individual's certificate if deemed necessary to protect the public interest because of complaints or proceedings relating to competency, conduct or character—otherwise, the three Cs.

The regulatory authority would also be able to impose an equivalent requirement or refuse to certify an individual who has a certificate subject to a practice limitation, restriction or condition. The details on how the government intends to enforce these still need to be worked out, and we hope that by the time this bill reaches committee, the government will come forward with a plan to protect the public.

With many of the McGuinty government bills, they ask us to approve them pending regulations that will come at a later date. That is a concern to us. The minister, or his or her designate, will monitor and be authorized to review the regulations, bylaws or other instruments made by the authority under its authorizing statute to assess their conformity with this labour mobility code. The minister could also ask the regulatory authority to amend any instrument to ensure compliance with the code. So the minister will set up the regulatory authority but apparently will still maintain a direct line of accountability for it. It is good to finally see a minister take responsibility when we know that this government may bob and

weave from responsibility at every opportunity. I wonder if the minister is being set up here. I guess only time will tell in that regard.

Again, we will support any bill that truly would increase free trade. I think we need to be convinced that this bill accomplishes that. We will be looking forward to the rest of the debate on this bill and we hopefully will get a full debate at committee.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Michael Prue:** I listened intently to the honourable member as he spoke. I was expecting—this was a one-hour leadoff, and I was kind of surprised to see the debate truncated. It appears that he is supporting the bill, but he has asked for some reasonable and rational things. I think I tried to say that in the last opportunity for two minutes, that we have to proceed with some caution. I understand that this has taken place in other parts of Canada, particularly with the TILMA discussions in Alberta and BC, which form, I guess, the template for what we are doing here today. But there have been some problems ensuing there, and I hope that Ontario, in discussing a very similar and like matter, can deal with those.

It appears that the honourable member, on behalf of his party, is saying that they are the party of freer trade. I don't know; I never doubted that for a moment, given what happened around NAFTA and the Brian Mulroney years. In any event, the most important part of what he had to say was that we get some additional information, we proceed with caution upon that information, and that we do what is correct and right for the people of Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Kevin Daniel Flynn:** It's a pleasure to rise and to comment on the comments of the member from Sarnia–Lambton. Certainly, he concentrated on job ratios a little bit in his comments. We should note—and I think you've got to give credit where credit is due—that when his party was in power, they didn't change any of the ratios. They had the opportunity to change the ratios and they didn't change one of them. Since we've been in power, we've changed eight of them. So I think you've really got to look at who's serious about doing something here.

I think all members are saying that they support this bill. From what I've heard, they support the concept behind this bill. Other jurisdictions have moved ahead on this type of legislation already. The province of Manitoba, for example, has passed their legislation already. They've moved to full passage.

I think some of the details that the member from Beaches–East York is bringing out and which need to be looked at—that's the role of the House, that's the role of the committee process, to take a look at some of the details that accompany any bill and to see if it can be improved or to see if there's things that can be clarified for members of the public or the industry. But I think what we can't lose sight of is that the intent of this bill and the concept behind this bill will allow Ontarians and



all Canadians to participate in their economy more fully. I think this is the sort of legislation that, quite frankly, we need to pass if we're going to be competitive in today's global economy. This is the sort of mobility we have to have. The way we were doing it in the past, that just simply isn't going to work anymore.

I think this is a government that has shown that it has preferred to take the bull by the horns, that it's prepared to move forward on this type of legislation. It's the sort of legislation that, I think, meets the needs of both those people that are employed in the industry and those employers that employ people in industries that have skilled trades and regulated professions. It's worthy of the support of all members of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John O'Toole:** I think the member from Sarnia-Lambton really captured the wish to do the right thing but the uncertainty that this is the right thing. He comes from a background in labour and management, and he knows, having worked at Nova Chemicals for a number of years—I'll let him explain that.

I think the issue of ratios is very pertinent to the discussion here this morning, and I leave it with the minister. We want to move forward, but you've got to deal with the ratios. Mr. Dunlop has mentioned it in the past and there have been members that have raised this issue besides the member from Sarnia-Lambton.

0950

But I do want to caution members that some of what's being said by the parliamentary assistant isn't quite accurate. If you read the explanatory notes on page 1, it says, "The labour mobility code contains the following exceptions to the rule against imposing material additional training.... (1) An Ontario regulatory authority is not prohibited from imposing on the applicant any requirement that is identified on the website of the Ministry of Training, Colleges and Universities as a permissible certification requirement...." It goes on to say, "(3) An Ontario regulatory authority is not prohibited from requiring the applicant" to undergo and obtain certain material additional training and experience.

The parliamentary assistant should—I know that the notes they gave you from the ministry are very well done by professionals. However, I would encourage you to read the bill. Read the explanatory notes. The devil is in the detail here.

In fact, the colleges—I finally have to say, you are either taking away these authorities of these skills groups or training groups or you're not. And if you're not, it says right here that they are "not prohibited from requiring the applicant to undertake, obtain or undergo material additional training, experience, examinations or assessments if the applicant has not practised the regulated occupation" in Ontario.

We would like to think that fairness is fairness. We don't want people to come to Ontario and take Ontario jobs unless we have the same rights in their province.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Jean-Marc Lalonde:** I'm delighted to comment on this very important bill. Let me tell you, as the opposition people are fully aware, that just two years ago, the Premier sat down with Premier Charest to come up with an agreement for construction labour mobility. The previous government had done a lot of work to succeed, but they never succeeded. Finally, the Premier sat down with Premier Charest and they came up with an agreement so that today, construction people can cross the provincial border and do work in Quebec without any problem, as long as they follow the regulations that are in place for their own employees.

But let me tell you, Premier McGuinty should be congratulated for having shown leadership on this very important bill. We are in Canada. We should be able to go and work in Newfoundland, in Nova Scotia or in Quebec.

We have a meeting coming up on October 22 and 23 of APOQ, which is the parliamentary association of Ontario and Quebec. We have some issues in there that we will discuss again on home care services. This is something again where anybody who gets sick in Quebec and would like to reside in their parents' home in Ontario, or vice versa, cannot get home care services at this time. The same thing for prescriptions: If you are a resident of Quebec and you are at your mother's home in Ontario, you cannot purchase your prescriptions in Ontario.

But at the present time, in this bill, there are a lot of issues by which every one of the professionals in Ontario will benefit.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Sarnia, you have two minutes to respond.

**Mr. Robert Bailey:** It's a pleasure. I'd like to thank the members from Beaches-East York, Oakville, Durham and Glengarry-Prescott-Russell for their remarks and comments on my remarks today.

Like I said, we support the principles of free trade, freedom of mobility and movement of labour across jurisdictions. We look forward to committee, where we'll be able to delve into this bill at greater length and hopefully to make it better and to make sure that if there are discrepancies, as the member for Durham pointed out, with perhaps the college of trades being able to overrule parts of this, we get those questions answered. We look forward to working with the different members in committee in doing that.

Also, it was brought to my attention earlier today that apparently, with the strike at licensing bureaus, there are a number of bus drivers and school bus drivers who are unable to get their licences. I don't know whether this is an example of labour mobility, but I was told that a number of bus drivers from Toronto had to go to Ottawa to drive busses. I don't know if that's an example of labour mobility that the government was looking for. I'm sure it wasn't. But anyway, that's one of the ramifications for industry, with the economy as it is.

Thank you to all the members, and I look forward to the debate in committee.



**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Michael Prue:** I wonder if I might preface my remarks: I am seeking unanimous consent to hold down the lead. Our member is not here today.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Beaches—East York is seeking unanimous consent to stand down the third party's lead. Agreed? Agreed.

**Mr. Michael Prue:** Thank you very much. That allows me a full 20 minutes, which is more than enough time for me to make the comments I need to make.

I'd like to start off by talking about this bill in terms of its broad application and why we have some concerns not necessarily with the bill but with how it may impact other laws and the Constitution of Canada.

I'll start out by talking about mobility rights, which this bill is intended to help. I would agree it will help mobility, not of people, but of assets and qualifications, to cross one provincial border and another. The Canadian Constitution already is very clear: Any person who is a Canadian citizen, a permanent resident, or who is legally in Canada has full mobility rights. They are not in any way hindered from crossing one provincial boundary to another. They are not hindered in any way from doing all things that are legal within this country. They are not hindered in any way from looking for work or accepting work in any province. The holdback here, if there is a holdback at all, is that people often cannot take their qualifications with them. If a person is legally entitled to be an electrician or a plumber or a carpenter or any other profession in Ontario, they cannot necessarily follow that profession into another province. The ones we deal most often with, of course, are our neighbours, either Manitoba or Quebec, and so those are the ones where we need to look for those mobility rights and vice versa—but the Constitution already allows them to do that. I'm hoping that when this bill is debated it will not infringe upon a constitutional right, because some lawyers have suggested it may and that if the bill is to proceed and is to become law, it needs to very clearly not take away any rights that people already have. That's the first thing that we need to talk about.

The second thing that we need to take a very close look at—and the member from Oakville talked about this in his remarks—is that the provisions of this bill will override any other law. This is very troublesome to me and, I guess, to the New Democratic Party because we are a nation of laws; we are a province of laws. We pass laws in this Legislature all the time for the public good, and to have this bill override some of those—we need to be careful with that. We need to be very careful with what we're doing and what authority we give, because in the desire to free up trade and the desire to allow mobility of experience and to recognize others' credentials, we need to make sure that we are not doing so to the detriment of the people of this province and indeed to the detriment of the people of this country. I know that when this goes to committee we'll want to have a very clear

look at how this wording is ultimately framed and the regulations that go with it to make sure that what we are trying to do to build a better society, a better province, is not impugned in any way, where this bill will allow it to be overridden easily.

Before I go into the main meat of what I have to say, we are also, I think, a little worried about the provisions involving red seal, because there is but one line in the bill that says the province may take actions to protect the red seal. We think that this needs to be much stronger than it currently is because the red seal program is indeed a good program.

I want to talk about the potential difficulties that may arise here. This is a very broad bill. It is a bill that is far more complex than one would initially think in looking at it. We as a province, as I said, pass many laws, and this bill may be so broad as to be incompatible with some of the other things we are trying to do. Even though we talk about free trade, I know that many of us in this Legislature often engage in debate from all sides of the House, trying to protect our local industries. We try to say that people should buy cars made in North America, particularly cars made in Ontario. We try to talk about giving an advantage to Ontario workers to be able to give their skills, to build the industries and to keep jobs here, and we try to stimulate local economies. The passage of this bill may make that difficult. It may render the arguments to stimulate local economies moot.

#### 1000

There is also the whole problem of maintaining public health care. I want to give the example of NAFTA. When it was passed, it did not come from one province to another but it did come from the United States. There was a company by the name of Centurion Health, who sued, or attempted to sue, the Canadian government and provinces because they were not allowed to move, holus-bolus, their health care centres from the United States into Canada, to provide private health care in a place where the public had deemed that public health care was the norm and what we wanted. They attempted to sue the federal government for \$160 million so they could set up their own chain of private health clinics.

I'm very worried, because that is a public goal that Canadians are almost universally agreed upon. Will the passage of this bill cause us to have to defend other public policies that we have set in place—everything from universal education up to 18, which is public and free, to our public health care, to public housing and all the other laudable things that we often talk about? If someone were to come along and challenge that under the aspects of Bill 175, if it is passed, we need to make sure there are provisions inside so that that will not happen.

In the TILMA article, which was the template for this bill, the article entitled "No Obstacles" reads as follows: "Each party shall ensure that its measures do not operate to restrict or impair trade between or through the territory of the parties, or investment or labour mobility between the parties." That's pretty much which is contained



within the body of the bill. But everything we do in this Legislature affects that provision. If we pass a bill, it will affect the markets. If we pass a bill, it will affect investments. If we pass a bill, it will affect how workers are able to obtain jobs, keep jobs or keep investments flowing in the province of Ontario. I just want to say that the passage of a similar type, which is contained within the body of this bill, will cause very much the same problems that they are experiencing in both British Columbia and Alberta.

I also want to talk about the application of the bill, and I think this is where we really need to sit down with our municipal partners. We really need to sit down with the MUSH sector.

**Hon. Jim Watson:** Peter, I think Colonel Sanders is looking for you.

**The Deputy Speaker (Mr. Bruce Crozier):** Order.

**Mr. Michael Prue:** I think there's a great deal of levity here.

We need to sit down with our municipal partners, because this bill will have a very broad impact, not only with municipalities, towns and cities across this province but also with the regions. It will have a very broad impact on the MUSH sector. As I understand it, what will be included under Bill 175 are "departments, ministries, agencies, boards, councils, committees, commissions ... agencies of government." It will involve "crown corporations, government-owned commercial enterprises, and other entities that are owned or controlled by the party through ownership interest," it will involve "regional, local, district or other forms of municipal government," it will involve "school boards, publicly funded academic, health and social service entities," and it will involve "non-governmental bodies that exercise authority delegated by law." These are a lot of people who make a lot of decisions for the public good. They have contracts, they seek workers, they buy goods, they buy services, and it will impact a lot of them.

I know some of the problems that were inherent in Alberta and British Columbia when they came up with the first TIMLA will be borne out here. Some of the same requests will be made; some of the same dichotomy we are going to have to resolve will have to be resolved. Just to tell you what some of those were, in both Alberta and British Columbia, municipal government associations sought exclusions because they felt that it was going to be very problematic for them in handling their day-to-day affairs once that law came into effect. The same things are going to happen here in Ontario. They requested, I think, not unreasonable things that were all turned down under the body of the law, and I think we ought not to make the same mistake in Ontario.

First and foremost, municipalities, universities, schools, hospitals and government institutions asked to be free to give a local option; that is, to hire locally whenever possible to carry out the goods and services that were going to be required in the building of a hospital or a school—

*Interjections.*

**Mr. Michael Prue:** Mr. Speaker, I'm having a hard time even hearing myself here. I don't know whether—

**The Deputy Speaker (Mr. Bruce Crozier):** I agree with the member from Beaches–East York. The conversation level is getting a bit high, and I would ask those who need to carry on those conversations to do so in the lobbies, or whisper. Thank you.

The member for Beaches–East York.

**Hon. Jim Watson:** Michael, we weren't missing anything.

**Mr. Michael Prue:** Thank you very much. My friends on both sides of the House are assuring me they're not missing anything, but I'm not sure that's entirely true.

What we are asking is that when we're dealing with municipalities, universities, schools, hospitals, government agencies and non-governmental bodies that will be impacted by this law, we look at what their needs are. If a municipality, a school or a hospital wants to hire locally in order to get good service from people who understand the circumstances locally; particularly in times of high unemployment, if you want to go out and find a construction crew in your neighbourhood that is hugely underemployed—they may not be allowed to do so anymore. They asked for an exemption in order to carry that out, and it was not granted in Alberta and British Columbia. I think it's the kind of exemption, although I know it runs contrary to the main purport of the bill, that needs to be looked at, and that we need to look at it.

The second thing is, they asked for the authority not to be sued for damages under the provisions of the bill by people who were unhappy that they were not considered in contract negotiations. They were not granted that. Therefore, municipalities and the whole broad MUSH sector in both British Columbia and Alberta are subject to being sued for damages for the entire legal costs that may result from this. They are often not equipped to have that amount of money to defend themselves.

The third thing is that they are not allowed, even under the provisions of that bill, and certainly I have not seen anything in this bill, to defend their own actions, because this is a provincial responsibility. So a municipality, a university, a school, a hospital or a non-government agency cannot even defend their own actions. We haven't seen that because of course this will likely come in the regulations, but we want to make sure that we don't make that same mistake. If somebody is acting in good faith, they should be allowed to defend themselves when and if the matter is taken to court.

Last but not least, the government does not allow the ability to prevent frivolous and vexatious actions when someone seeks to challenge municipalities, universities, schools or hospitals. It cannot simply be dismissed out of hand as being frivolous or vexatious. The municipalities in both Alberta and British Columbia asked for this safeguard and did not get it. What I am saying to this House today is that if we proceed with this, we should make sure that we are protecting our partners. I hear very often in this House, particularly from the Minister of Municipal Affairs, that these are our partners and that we



respect our partners. Well, I think we should respect them, and I think we should make sure that, in the passage of this bill, we are going to do everything reasonably practicable to make sure that people are protected and municipalities are protected against vexatious actions and to make sure that they can make their own decisions. Because, clearly, that was the whole intent of the acts that we have passed—the Municipal Act—to free up municipalities to make their own decisions and to do what is best for their own citizens. That was the purport and the intent of the City of Toronto Act when it was passed—although, I must say, I am a little aggrieved that the minister saw fit to take away Toronto's right to license cab drivers.

But in any event, we need to make that kind of decision as a Legislature before we proceed with the bill as to exactly how it is going to set out and impact whole broad sectors, whether those broad sectors are the red seal, whether it's recognizing credentials in other provinces or other countries, whether it is the freedom of trade, whether it is the municipalities, whether it is going to impact in any way upon the Constitution of this country, or whether it is going to override literally every other law.

I am asking, and I think this is really all I have to say on it today, that we exercise some extreme caution, that we send this to committee, that we allow a great deal of time in committee to hear from experts in law—and I have been given some papers, expertise from lawyers at Sack Goldblatt and others, talking about the pitfalls that have befallen both British Columbia and Alberta and the pitfalls that are being experienced in other parts of the country as we try to exercise freer trade—that we take some considerable time to look at this, that we get it right and that we ensure that no one in Ontario, particularly our municipalities, is hurt in the exercise of this.

Do New Democrats welcome freer trade? Yes, we do. Do we welcome it at the cost of what we have, as a society, built up for 100 years? No, we may not. Do we want to protect such vital things as our public health system, our education system, the universality of what we try to do for the people of Ontario? Those must never be put on a lesser playing field than free trade.

So when this bill goes through, I ask that some caution be made, because we have much to protect and we have much to lose. This bill has only a little modicum of change to gain, because everything that is really important is already contained within the Constitution.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to the standing orders, this House will recess until 10:30 of the clock.

*Second reading debate deemed adjourned.*

*The House recessed from 1013 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. David Zimmer:** It's my pleasure to introduce members of Professional Engineers Ontario. That's the regulatory body for engineers here in Ontario. They look

after 72,000 engineers and they've put in 87 years as a self-regulating profession: Kim Allen, the chief executive officer and registrar; Diane Freeman, the president-elect; and Donald Wallace, the executive director of the Ontario Centre for Engineering and Public Policy.

There's a reception at the end of the day, and I encourage all members to attend the reception hosted by PEO.

**Hon. Margaret R. Best:** Today I would like to introduce Ms. Camille Gooden, who is from the Ministry of Health Promotion.

**M<sup>me</sup> France Gélinas:** It is my pleasure to introduce visitors from the yellow shirt brigade—they're easy to pick out—who are protesting the closure of the emergency department at Douglas Memorial Hospital. They are: Susan Salzer, Donna Frankson, Anne Kranics, Anne Marie Noyes, Wayne Gates, Marilyn Athoe, Doris Emerson, Joy Russell, June Robertson, Nancy Richer, Pat Schofield, Fiona McMurran, Samantha McMurran, as well as Marg Ferland. Welcome to Queen's Park.

**The Speaker (Hon. Steve Peters):** On behalf of the member from Parkdale—High Park and page Helen Lee, we would like to welcome her mother, Alison, her father, David, her grandmother Beth and her grandfather Bob, sitting in the public galleries today. Welcome to Queen's Park.

There being no further introductions—oh, my apologies. The Minister of Training, Colleges and Universities.

**Hon. John Milloy:** I'd like to introduce members of my staff from the Ministry of Training, Colleges and Universities who are up there. As part of their professional development, they're here to see question period today. I'd like to welcome them and thank them for all their hard work in the ministry.

## ORAL QUESTIONS

### ONTARIO LOTTERY AND GAMING CORP.

**Mr. Tim Hudak:** A question for the Premier about his summer of scandal: Premier, a very disturbing story has emerged involving the conduct of your finance minister and a senior staffer in the Premier's office surrounding the OLG expense scandal. In this case, the Canadian Press reports that Minister Duncan ordered then-CEO Kelly McDougald to find some "scapegoats" to blame for expenses, some political pawns for the McGuinty government to hide behind. Ms. McDougald refused and was fired.

Premier did you or your assistant chief of staff direct Minister Duncan to make this ultimatum?

**Hon. Dalton McGuinty:** I appreciate the question—*Interruption.*

**The Speaker (Hon. Steve Peters):** Stop the clock. We certainly welcome all of our guests here, but I ask



that you just observe and not participate in the proceedings, as much as you may wish to.

Premier?

**Hon. Dalton McGuinty:** I'm pleased to take the question. I think my honourable colleague is very much aware that the matters he is raising are now the subject of litigation in court. There will be representations made by both sides through their counsel. We intend to respect that process, so I cannot speak directly to those kinds of issues.

But I am pleased to say that we continue to take steps to improve accountability when it comes to our agencies, boards and commissions, including an announcement I made earlier today that we'll be later introducing a bill in this House that will give authority for the first time to the Integrity Commissioner to review the expenses for our senior executives at our 22 biggest agencies, boards and commissions, which I think will be very effective in heightening accountability and transparency and better protecting the interests of taxpayers.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** Premier, these are very serious allegations about the true conduct of the McGuinty government behind closed doors, a McGuinty government who, it seems, has an instinct to duck behind any convenient political shield it can find, a government willing to put anyone's head on a stick as long as it's not their own.

This goes right to the core of the accountability of your government. On behalf of Ontario taxpayers, we need to shine a light on exactly what transpired with the OLCG before those expenses were released. Premier, will you release by the end of the day Ms. McDougald's complete phone BlackBerry schedule and any other information pertaining to her meetings with the finance minister and members of your office?

**Hon. Dalton McGuinty:** There's one particular word used by my colleague in his question that is a very important word and that properly characterizes what we are talking about here. He made reference to "allegations." Again, I would remind my honourable colleague—and I'm sure he is very much aware of this and in agreement with this—that there is a process that is about to unfold through our courts. I think we ought to allow due process to unfold.

In the meantime, that will not stop our government from taking any and all appropriate steps to ensure that we enhance accountability, particularly among our agencies, boards and commissions. We have worked very hard in the past to ensure that all cabinet ministers, parliamentary assistants and political staff have their expenses now vetted through the Integrity Commissioner, and because of the change we're making today, for the first time our senior execs at our 22 biggest agencies, boards and commissions will now have to have their expenses reviewed by the same Integrity Commissioner.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** Premier, these are very serious allegations that you seem to show no interest in addressing. It's unfortunate that your instinct when cornered during

the summer of scandal is to stonewall. Over at eHealth, you hid behind a PWC study that not only never happened, but we found out later was never contracted in the first place; you want a staff of nine at the Integrity Commissioner's office to sift through up to one million expense reports because the ministers are not up to the job; and now, Premier, you're setting up taxpayers for an \$8-million lawsuit because of your mismanagement. The pattern is alarming.

Premier, simply getting rid of a minister will set a tone and won't cost taxpayers a dime. Will you do it?

**Hon. Dalton McGuinty:** I think that it's important for us to draw a distinction between the interest of my honourable colleague and what I think Ontarians really want us to do. I think they want us to do whatever is necessary to heighten accountability, particularly among our agencies, boards and commissions. That is not something I think, in fairness, that governments of any political stripe have really turned their minds to in the past. We are doing this now for the very first time, looking at those 615 arm's-length agencies, boards and commissions, at the thousands and thousands of people who work there and at their expenditures. That's what we're doing. That's why we're putting in place new rules to ensure that there's more transparency and more accountability. I think that's in keeping with public expectations.

## TAXATION

**Mr. Tim Hudak:** Premier, you've set a disturbing pattern of saying things here in the House, in the precinct, that we find out later are not in keeping with the facts. Yesterday, with some fanfare at your morning press conference, you announced that Michael Ignatieff and the federal Liberal Party supported your HST sales tax grab. Then late last night, you were forced to back-track and sent out a retraction. Your retraction indicated that your claim hours earlier just wasn't true.

Premier, why did you tell Ontario families that Mr. Ignatieff supported your tax grab when it just wasn't true?

1040

**Hon. Dalton McGuinty:** I have been waiting with bated breath for some time now for the leader of the official opposition to put to me a question about the single sales tax, because our position on the single sales tax is very apparent, very clear, very forthright for Ontarians to understand.

What Ontarians really want to know, when it comes to the single sales tax, is whether or not my honourable colleague has the courage of his convictions and whether he's prepared to stand up here and now and commit to repealing the single sales tax should he earn the privilege of serving Ontarians in government.

**The Speaker (Hon. Steve Peters):** Supplementary?  
*Interjections.*

**The Speaker (Hon. Steve Peters):** The clock is stopped. I would appreciate everyone listening to the question.

Supplementary?



**Mr. Tim Hudak:** Premier, that is your second misunderstanding in as many days. First, the Premier said it was a misunderstanding when he told members of the House that PricewaterhouseCoopers was retained when they in fact were not. Now you have a potential \$4.3-billion misunderstanding with Mr. Ignatieff.

Taxpayers should be able to bank on the credibility of the Premier. Your HST tax grab is nothing but a greedy play on the pocketbooks of working families and seniors in the province of Ontario.

Premier, I ask you: Why is it that when the heat is on, you tend to say things that just aren't true?

*Interjections.*

**The Speaker (Hon. Steve Peters):** I'd just ask the honourable member to withdraw that comment.

**Mr. Tim Hudak:** I withdraw—not in keeping with the facts.

**Hon. Dalton McGuinty:** Try as he might, my honourable colleague cannot wriggle off this hook. He tells us that he is adamantly opposed to the single sales tax. He tells us that it will wreak havoc on Ontarians. He tells us that it will hurt our families. He tells us that it will hurt our businesses. He tells us that it will hurt our seniors. He tells us that it will hurt renters, condominium owners, first-time homebuyers and sports enthusiasts. He tells us that it will do all those things, but he is not prepared to stand up and commit, here and now, that once we move ahead with a single sales tax—because we believe it's the right thing to do for Ontarians—that he's prepared to repeal it.

I'm giving him another opportunity: Is he prepared to have the courage of his convictions and say that, should he earn the privilege of serving Ontarians as the Premier, he will repeal the single sales tax in Ontario?

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** Premier, you're the one putting the hook to taxpayers, middle-class families—

*Interjections.*

**The Speaker (Hon. Steve Peters):** It's terrible on both sides. I would just appreciate some co-operation, because I would like to be able to hear the questions and the answers, and I find it very difficult with members from both sides shouting down the opposite sides.

**Mr. Tim Hudak:** This isn't the first time, and I'm sure it won't be the last, that the Premier tried to fool Ontario families about a massive tax grab.

Canadian Press quoted you in the heat of the 1999 election campaign saying that you opposed harmonization of the GST and PST. You said that combining these taxes would lead to a net tax increase for Ontario families.

Premier, what changed? Why were you against it then but are all in favour of your greedy tax grab today?

**Hon. Dalton McGuinty:** I think we're having a very important debate in this Legislature. I think it's an important opportunity for Ontarians to understand what the two sides are.

The people of Ontario could be forgiven for being confused by the position being put forward by the Conservative Party here in Ontario, because they are telling us that they are opposed to the single sales tax, again they are telling us it will wreak havoc both on our families and our economy, that it's not in the interest of our future, and they are going to do everything they possibly can to stop it. But they are not prepared to take the next step and say—once this becomes law in Ontario, once we have this in place in our businesses, and our families are operating on that premise, they are not prepared to stand up and commit to repealing it. And I put it to my colleague—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

*Interjections.*

**The Speaker (Hon. Steve Peters):** No, leave it running.

New question, the leader of the third party.

#### ONTARIO LOTTERY AND GAMING CORP.

**Ms. Andrea Horwath:** My question is to the Premier and it is a very simple question. Why did the Premier's assistant chief of staff attend a meeting to discuss how to handle a freedom-of-information request about questionable expenses at the OLG?

**Hon. Dalton McGuinty:** To the Minister of Finance.

**Hon. Dwight Duncan:** Our government has moved in a variety of ways to address the very real issues of expenses and to ensure that the public has full accountability of our agencies, boards and commissions. Those steps are important. It is important that Ontarians understand all the issues surrounding a range of agencies. We have taken steps, and my colleague the Minister of Government Services will be introducing legislation today to go further to make sure Ontarians can have the confidence that their agencies, boards and commissions are being well managed and will continue to defend the taxpayers of Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** This appears to be political interference of the highest order, with direct connections right back to the Premier's office. Clearly, he and his office were desperately trying to manage their way out of yet another expense scandal that was breaking in the province. My question: Does the Premier think it is appropriate for his office to be directly involved in screening and managing freedom-of-information requests sent into government agencies?

**Hon. Dwight Duncan:** There has been a statement of allegations with respect to events that transpired. We will respond to that in due course and in an appropriate fashion.

What I can say to the leader of the third party is this: Our government is committed to protecting taxpayer interests. Our government is committed to ensuring maximum accountability, maximum transparency with re-



spect to the operations of our agencies, boards and commissions, and we will continue on the path to ensure that Ontarians can have greater confidence and that our agencies, boards and commissions continue—or begin, in some cases—to provide that accountability and that transparency. That's what the people of Ontario want, that is what's important to the government, and that's what is important to the agencies and those that depend on the success of those operations for their funding.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** It's interesting, because just yesterday this same Premier boasted that his government has "truly enhanced transparency and accountability in the province of Ontario." The only thing that this Premier and his gang of political spin doctors have done is call into question the very integrity of the FOI process in this province. Ontarians may very well have access to the FOI process, as the Premier likes to claim, but will he now acknowledge that the only information they will ever receive for as long as he is the Premier here in this province is information that his office has scrutinized and sanitized first?

1050

**Hon. Dwight Duncan:** I would remind the leader of the New Democratic Party that the Information and Privacy Commissioner's report last year indicated that our ministry had a 94.3% compliance rate within 30 days on FOIs. Our interest is to make information public as quickly as possible, and we will continue to do that following the processes that have been laid out.

We will also go beyond and will continue to build on accountability and transparency measures throughout the government agencies, as the Premier has indicated. We think those are the appropriate steps. We've brought freedom of information and accountability to Hydro One and OPG, which was strictly forbidden. We have extended the rules on a whole range of issues. These are the appropriate steps. That's what taxpayers expect, and that's what we'll continue to deliver.

## TAXATION

**Ms. Andrea Horwath:** This question is to the Premier, as well.

Yesterday the Premier stated decisively, "We have secured Mr. Ignatieff's commitment to moving ahead with the" harmonized sales tax. But later in the day, John McCallum, the federal Liberal finance critic, stated just as decisively that there is no deal. How does the Premier explain this contradiction?

**Hon. Dalton McGuinty:** I am confident that over time the federal Liberal Party will be very clear in terms of its support for the single sales tax in the province of Ontario and our efforts to bring it into being here, and I'm confident that any objective observer will understand how important it is for us to move ahead with this. If you take a look at what has happened around the world, in 130 other countries—it's a prerequisite to join the EU.

Countries like Germany, Japan, Italy and Norway all have had this in place for an extended period of time now. We've just got to get into the game and give our businesses the same advantage.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** Unfortunately for the Premier, everyone is scrambling to distance themselves from his unfair tax scheme. As one Liberal MP put it yesterday, "It's absolutely inappropriate and cruel ... to be pushing harmonization in the middle of a deep recession when people are in economic difficulty."

The Premier plans to make life more expensive in this scheme—and it will also lose jobs in the province of Ontario.

Why did the Premier think he had support for this scheme, and does he think that "inappropriate and cruel" is actually a complimentary term?

**Hon. Dalton McGuinty:** I do recall the comments offered by Pat Capponi, who leads the 25 in 5 Network for Poverty Reduction. She said the following: "This budget has moved the bar forward on housing, tax credits and child benefits in ways that will make a tangible difference in the lives of many Ontarians."

We've been particularly concerned about ensuring that our budget reflects the challenges faced by our low-income families. That's why we have a tax credit in place. It will be the largest of its kind in Canada. That's why we've enhanced the Ontario child benefit as well. That's why we've increased our property tax benefits for seniors and low-income families. I think that represents a comprehensive approach, a sensitive approach, to the challenges faced by our low-income families.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** What the people of Ontario want is for their government to be worried about affordability in this province. They want a government that's concerned about helping them get a job in these tough economic times.

The HST scheme makes life more expensive and will kill up to 40,000 jobs in this province, according to a report by the Ontario Chamber of Commerce.

The federal Liberal finance critic, John McCallum, says this: "One can certainly debate whether the implementation of a tax of this kind in the middle of a recession is sound public policy." His colleagues just call it "cruel."

In the face of growing opposition, why does this Premier insist on shoving the HST down the throats of Ontarians at the precise time when they can least afford it?

**Hon. Dalton McGuinty:** I want to quote Gail Nyberg of the Daily Bread Food Bank. She said the following: "If you're a low-income Ontarian this is a positive budget, and I congratulate the government on recognizing that you can fight poverty and stimulate the economic scene at the same time. When you start to think about an extra \$42 per month per child and start to look at the one-time money coming back and the permanency of the tax credit, the harmonization tax credit, this will make some



tangible difference—an extra \$100 in these folks' pockets is the difference between going to food banks and not going to food banks. We couldn't be happier and we congratulate this budget, and this government on continuing the fight."

I think that pretty well says it all.

#### AGENCY SPENDING

**Mr. Norm Miller:** I have a question for the Premier. On Monday Premier McGuinty assembled the media to say that he had a plan to fix the lavish expense problems at OLG. Now there's more evidence that it was nothing more than a PR stunt and the Premier doesn't really have a plan. Premier, were the so-called accountability measures you introduced nothing more than your plan B for dealing with the summer of scandal?

**Hon. Dalton McGuinty:** One of the things that is part of that approach, that drive to enhance accountability among our agencies, boards and commissions, consists of a bill that we'll be introducing later today, and I look forward to my colleague's support in that regard.

What we are going to do for the first time in Ontario is ensure that the Integrity Commissioner has the authority to review expenses for the senior execs in our ABCs. In particular, she'll be given the authority to take a look at expenses that have come from the boards of directors, from the CEO, from senior management, and then the five biggest spenders within any organization, no matter what job they might happen to hold.

We think that's a step forward, and I look forward to my colleague's support for that new initiative that will enhance accountability among our ABCs.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Norm Miller:** Again, for the Premier: It appears it was only after McDougald refused to take part in your PR scheme that the Premier's office kicked into high gear and cobbled together plan B—again, a hastily-called news conference and an announcement that an office of nine people will begin screening the expenses of 80,000 employees.

Premier, the pattern is alarming. The time is long overdue for you to do the right thing. Will Premier McGuinty come clean with Ontarians, stop the desperate PR schemes and kill the scandals by holding a cabinet minister in his government accountable?

**Hon. Dalton McGuinty:** Obviously I'm going to take issue with my friend's categorization of these as PR schemes. I would ask him whether or not he's going to support our efforts, through this bill, to give new authority to the Integrity Commissioner to take a look at the expenses of our senior executives in our agencies, boards and commissions. I would ask him whether he's going to support our initiative to require that the expenses of our senior execs at our agencies, boards and commissions be posted online. We think that's the appropriate thing to do. We're also going to require that cabinet ministers' expenses and senior execs' within the Ontario public service be posted online. Now, he might call those "public

relations," but I think they're progressive steps forward. Again, I would ask for his support.

#### AUTISM TREATMENT

**M<sup>me</sup> France Gélinas:** Ma question est pour la ministre des Services à l'enfance et à la jeunesse. On World Autism Awareness Day, the minister sang the praises of the Geneva Centre for Autism. The minister said, "Since 1986, the centre has been bringing together professionals, educators, parents and researchers from around the world." Well, Minister, this summer, that centre sent a letter out to the parents, telling them that they need to close their services from August 31 to September 4, 2009.

Minister, can you explain why this centre had to close its doors?

**Hon. Deborah Matthews:** I welcome the opportunity to look further into that particular issue.

On the question of autism, I tell you that one of the great privileges I have had is to get to know some of the families with children with autism. I can assure you that we are doing everything we can to improve services for kids with autism. We have tripled funding for IBI therapy and autism services. The Minister of Education and I are working very, very closely to make sure that schools are welcoming places for children with autism.

We are working hard to improve this and we will continue our hard work.

**The Speaker (Hon. Steve Peters):** Supplementary?

**M<sup>me</sup> France Gélinas:** Well, the Geneva Centre had to close for a week because it had no choice to balance their budget.

Let me quote from the letter. They go, "Due to a freeze in government funding ... we will be closing our services and requiring staff to take time off without pay for those days," rather than having staff laid off. "During the shutdown periods, there will be no services delivered."

Minister, is it acceptable that this centre finds itself with no other choice but to close its doors for a week in order to balance their budget?

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**Hon. Deborah Matthews:** As I said in the initial question, I will look into that particular situation. We do fund organizations to deliver IBI therapy. They work within that envelope to provide service in the way that best suits those families. As I said, in that particular case, I will look into seeing what happened, but different organizations do manage differently, and if that was the decision they took I will look into that particular case.

#### ECONOMIC DEVELOPMENT

**Mr. Yasir Naqvi:** My question is for the Minister of Economic Development and Trade. Our province, like many other jurisdictions around the world, is currently feeling the negative effects of the ongoing global economic downturn. The people in my community are



worried. Job security is a top concern for my constituents and, quite frankly, Ontarians across the province.

As a result of the current global economic crisis, a number of key sectors in the province, for instance the high-tech sector in Ottawa, have experienced a downturn and for reasons out of their control have had to scale back in order to remain afloat. My constituents are concerned not only about the security of their own jobs and the welfare of their families, but also for their neighbours. So I ask the Minister of Economic Development and Trade: What is your ministry doing to create jobs in this province and to keep Ontarians working?

**Hon. Sandra Pupatello:** I'm very pleased to accept this question from the member for Ottawa Centre, who has been instrumental in helping us discuss with our businesses in the Ottawa region how we can be helpful to them. I appreciate his hard work on behalf of his own constituents.

Let me say that over the course of these last few years, the Ontario government has gotten back into the business of helping our companies become more competitive on the world stage. Perfect examples of this are the Next Generation of Jobs Fund—\$1.6 billion of investment has resulted from just the first couple of years of this fund; and our advanced manufacturing program, where an over \$100-million commitment in loans by us has leveraged over \$900 million in investments by the private sector. Likewise, a new program, the eastern Ontario development fund, which this member knows very well, has leveraged all kinds of jobs for small communities in eastern Ontario, which we know has seen—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Yasir Naqvi:** Minister, it is reassuring to know that the province has programs in place to create and maintain jobs, considering the current economic conditions.

You have made mention of a number of programs and initiatives established by this government, aimed at creating and maintaining jobs in the province, to which a large amount of funds are allocated. In these tough economic times, it becomes increasingly more important to show results when government funds are concerned and people's jobs are at stake.

Minister, could you provide this House and Ontarians with examples of how your ministry is putting taxpayers' dollars to work for them, their families and their neighbours, especially in eastern Ontario?

**Hon. Sandra Pupatello:** We've had some great examples of announcements throughout the summer months that I think show that our programs are working, and we're encouraging those companies to invest. ElectroVaya, right here outside of the GTA, is creating new and improved batteries for use in electric vehicles and is taking their product worldwide. It's the perfect Ontario story. And in Hamilton, Karma Candy: We advanced an expansion of their production so that Karma Candy can hire more people and make great products for export, candy in this case. And in eastern Ontario, we've

got a great company, HRose Machining, creating 14 new jobs over the next few years in Carleton Place. That's an important example of how small business can negotiate with government and we can help them grow in important parts of our province.

So we appreciate the support from all members to help promote our programs that are helping businesses exceed and succeed.

## TAXATION

**Ms. Lisa MacLeod:** To the Premier: What we've witnessed here today in question period is a Premier so desperate to change the channel on his summer of scandal and his tax hikes that he has started asking his own questions like he's the leader of the official opposition.

So I have a question today for the Premier—he's had several times to answer the question. Why did you say Michael Ignatieff supported your HST plan when he said no such thing?

**Hon. Dalton McGuinty:** I am more than prepared to talk about our position on the single sales tax. We've been very clear on this. We have initiated this. We have sought and obtained the support of the federal government when it comes to moving ahead with the single sales tax. We believe that it is the single most important thing that we can do to strengthen this economy, put us on a stronger footing so we can create more jobs and support our public services. That's where we stand: four-square behind the single sales tax.

What Ontarians continue to be confused about is the Conservative Party position, and they're wondering why, if they are so opposed to it, they're not prepared to commit to repealing it. I give my colleague the opportunity now, which her leader rejected, to inject some clarity into their position on the single sales tax in the province of Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Lisa MacLeod:** The Premier had so much fun in his seven years as leader of the official opposition, I can't wait to welcome him back to this place in two years.

If the single sales tax was so important to him in 1999, then why did he say he opposed the HST, because it's going to be a net increase in taxes to Ontarians? You told us it would hurt Ontarians in 1999. What has changed? Your skyrocketing deficit? Your scandalous spending? Your mismanagement of taxpayer dollars? Please tell us what has changed.

**Hon. Dalton McGuinty:** Given the passion and the enthusiasm that they bring to this debate, and certainly the volume as well, the logical inference would be that they're going to do everything they can not only to stop it but, given the opportunity, they will instantly repeal it. I would expect that to be the very top of their platform: "We will repeal the single sales tax in the province of Ontario." It's just a suggestion on my part. I'm sure they're going to want to take it into account.



Again I ask my colleague if she might inject at least a little bit of clarity into this debate for the people of Ontario. Will they now stand up and commit to repealing the single sales tax in the province of Ontario?

### SCHOOL FACILITIES

**Mr. Rosario Marchese:** My question is to the Premier. For the past six years, the Premier has been forcing public school boards to defer millions of dollars of badly needed maintenance spending to compensate for his government's inadequate funding. Public schools need new plumbing, heating, computer rooms, science labs, gyms and fields, yet recently, the McGuinty government handed over \$250,000 to a private academy in Collingwood for a new field. Is the Premier telling us that he couldn't find a school anywhere in the Ontario public education system that could use that money?

**Hon. Dalton McGuinty:** To the Minister of Energy and Infrastructure.

**Hon. George Smitherman:** I'm privileged on the part of our government to work with government ministries on matters of infrastructure, on the matter at hand that the member speaks about related to the upkeep of our schools. That's why our government's budget initiative, with substantial new investment for economic stimulus, brought 700 million new dollars to the floor for the renovation of schools in the province of Ontario.

A further initiative in partnership with the government of Canada saw us support hundreds of unique recreation infrastructure projects across the province of Ontario, and in the circumstances that the honourable member raises, with the Pretty River Academy in Collingwood, with support from the town of Collingwood we helped to provide some resources for a soccer field—a soccer field which will offer guaranteed access to the public in all of those hours when kids need to play soccer, no matter whether they are part and parcel of the academy or just kids from the local community. We think that those are sound investments, in partnership with the government of Canada, that are part of a desire to create economic stimulus and to rebuild the important infrastructure of our schools.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Rosario Marchese:** The parents who contacted us have made it very clear that the McGuinty government needs to take a look at its commitment to public education and the Premier needs to get its priorities straight. What does the Premier or the Deputy Premier have to say to parents at Northern Secondary School in Toronto who have been working tirelessly to revitalize their field for the students and the community and have received not one dime from the McGuinty Liberal government?

**Hon. George Smitherman:** Across the province of Ontario, of course, there are thousands of schools and there are thousands of playing fields as well. The honourable member raises one project, but he doesn't comment on the fact that through investment of government resources in infrastructure initiatives designed to enhance

access to recreational programs, fields and also buildings, hundreds and hundreds of unique projects are being supported. We acknowledge, as the honourable member encourages us, that there are more opportunities to renew recreational infrastructure, and it's nice to at least see the member's acknowledgment that this government has made substantial progress with hundreds of unique projects across the province of Ontario.

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### TAXATION

**Mr. David Zimmer:** My question is to the Minister of Revenue. I've been talking with constituents over the summer, and many of them have come to me with concerns regarding the harmonized sales tax. They've heard statements by the opposition that things such as food are going to be subject to HST. My understanding of how the HST is going to work is that items which are currently subject to GST will also be subject to HST. But with the help of \$4.3 billion in transitional payments from the federal government, our government has exempted a number of items, including children's clothing, diapers and feminine hygiene products.

When I go to buy food at the grocery store, the vast majority of my purchases charge no GST at all. If this is the case, is what the opposition parties are claiming true? Will all food items be subject to HST?

**Hon. John Wilkinson:** I thank the member for Willowdale for this important question. Let's just be absolutely clear: When it comes to basic groceries, there will be no harmonized sales tax applied. Today, there is no GST nor PST, and after July 1, there will be no HST on basic food. Those who are trying to scaremonger on this issue should be aware that we are very, very clear on this point.

The most important thing we need to do in the economy right now is to get more people back to work. The way to do that is to ensure that we can compete in the 21st century. We have a tax system that was created in 1961. It is absolutely important that we ensure that we have people back to work to compete for those jobs in the 21st century. We will indeed modernize our tax system to ensure that we can help get people back to work. On this side of the House, we are for it. It's interesting to note that our opponents are opposed to it, but just in a temporary fashion.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. David Zimmer:** Minister, though items in grocery stores are largely exempt from GST and thus HST, I understand that reduced-price meals, which were previously exempt, will be subject to HST. Now, I know that the Ontario Federation of Agriculture supports the HST because they know that farmers will save money. Manufacturers and processors support the HST because it'll make them more competitive and help them to compete. Organizations such as the Daily Bread Food Bank have endorsed this tax reform package. In fact, Gail Nyberg stated that "the permanency of the tax credit, the



harmonization tax credit, this will make some tangible difference—an extra \$100 in these folks' pockets is the difference between going to food banks and not going to food banks."

Minister, how will the tax reform package help those who will be most affected by any changes in food prices?

**Hon. John Wilkinson:** I want to say to the Minister of Finance that he crafted a tax reform package for the province of Ontario that was particularly sensitive to the needs of people who would be impacted the most by any change in our sales tax regime. That's why in our budget it was proposed that we would do a number of things. First, we're going to cut the income tax rate on the first \$36,000 worth of income. That will apply to some 93% of all Ontario taxpayers. We didn't cut the rate at the top; we cut it at the bottom to make sure that those who could value that the most will receive that.

As well, we're enhancing the sales tax credit. Many people in this province receive \$240 from the federal government by way of a GST rebate. We will be adding an additional \$260 a year tax-free, not just for adults, but \$260 for every person in the household, including children. As well—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

#### VOLUNTEER FIREFIGHTERS

**Mr. Ted Arnott:** Over the past six years we've seen many, many examples of this government's indifference to rural- and small-town Ontario. Quite simply, they don't give a hoot about the people who live in the countryside. Today's case in point: their presumptive legislation which excluded part-time or volunteer firefighters. Now the government claims they're for extending the presumptive legislation to include the volunteers, that they're "doing it." But in a spectacular display of legislative incompetence, the government members voted against the volunteer firefighters in principle when we brought forward a bill in this House last May to fix this problem. Now, another four months have passed, which has added to the two years our volunteers have already waited for equal treatment with their full-time counterparts.

My question is this: No more excuses. When will the minister keep his promise to volunteer firefighters?

**Hon. Peter Fonseca:** I thank the member for the question. I understand the importance of volunteer and part-time firefighters to communities across this province. I also understand that these volunteer and part-time firefighters do hazardous, life-threatening work. That's why, when we moved on legislation back in May of 2007 to bring forward presumptive legislation for firefighters, within the Workplace Safety and Insurance Act we allowed for a regulation. So we have been consulting with many stakeholders. Just at the last AMO conference, I had an opportunity to meet with many communities.

The next step in this process is that I will be meeting with the new president of the Firefighters Association of

Ontario. This is the representative of volunteer and part-time—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Garfield Dunlop:** Each and every day we witness the McGuinty Liberals' destruction of rural Ontario. We see the devastation of agriculture, the closure of rural schools, the small factories and stores boarded up in our rural communities and a severe shortage of family physicians. And yet, when you have an opportunity to help rural Ontario, you fail again. In something as simple as treating volunteer firefighters with respect, providing presumptive legislation equal to their full-time brothers and sisters, you not only delay and ignore your own promises; you even vote against a well-intentioned, non-partisan private member's bill.

Minister, even if you don't support volunteer firefighters, will you at least have some compassion for their families and commit today to providing presumptive legislation to volunteer firefighters by the end of this session?

**Hon. Peter Fonseca:** As I said to the member's colleague, I do understand the importance of this matter. That's why I will be meeting in short order with the Firefighters Association of Ontario's new president to discuss this matter. I've had the opportunity to meet with many community leaders from across Ontario.

I understand that there may be some frustration here, but the member has to understand that this consultation with the WSIB and looking at the way that part-time and volunteer firefighters do their work in these fire halls across Ontario is very, very important, so that we get it right. But I can assure the member that we will conclude this review as quickly as possible and get an answer to the member.

#### HOSPITAL SERVICES

**Ms. Andrea Horwath:** My question is to the Premier. On September 28, Fort Erie will lose its emergency room. Fort Erie's 30,000 residents will join those in Port Colborne who have already lost their ER, and face long travel times and waits in the overburdened ERs in Welland and Niagara Falls. The many people here today—the Ontario Medical Association, the mayor of Fort Erie and the regional council—are all pleading for a moratorium on this closure. Why is the Premier ignoring them?

**Hon. Dalton McGuinty:** I want to welcome representatives of the community who are here today. I want to acknowledge that this has been a difficult debate. I understand that there's anxiety that has been created and we all have a tremendous attachment to our local hospitals.

Here at Queen's Park, in downtown Toronto, we have to rely on our local health integration networks and the work that they do to represent the interest of their communities. We have heard from the local health integration network, and their recommendation is that they put in place a 24/7 urgent care centre that will accommodate



fully 95% of the patients who are now going to the hospital in Fort Erie. We think that overall it presents a step forward in improving the quality of care that's available to patients in the community.

I understand that it's difficult and it's controversial, but we believe it's the right thing to do.

**The Speaker (Hon. Steve Peters):** Supplementary?  
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**Ms. Andrea Horwath:** It's interesting, because the LHIN has been quoted as saying that they have the full support of the government in making this decision, and now the government is saying that they're just doing whatever the LHIN thinks is supposed to happen. So it's a bit of shell game, in my opinion.

The government created a rural and northern health panel to examine these very kinds of issues, yet the findings of this panel have not yet been released and this government is bulldozing ahead with closures regardless of that. The Premier knows full well that he can intervene—

*Interjection.*

**Ms. Andrea Horwath:** —just like his deputy is intervening in my question right now. Instead, he is allowing the health of Niagara residents to be jeopardized with this decision.

Why won't the Premier do the right thing and impose a moratorium on all small, rural and northern hospital closures, at least until the findings of the very panel that they're putting in place have been released?

**Hon. Dalton McGuinty:** There was a third party review conducted of this issue by a Dr. Jack Kitts. He said the following: "In critical cases it is vital that patients receive definitive treatment as quickly as possible. The ED at the Douglas Memorial site is unable to provide this service as it lacks the necessary diagnostic equipment and specialist back-up."

Again, we're putting in place an urgent care centre, which will be open on a 24/7 basis, that can accommodate 95% of the patients who are already going to the Douglas Memorial hospital in Fort Erie. The other 5% will be going to a larger hospital with more technology and more expertise so they can provide better care to patients in need of that kind of care.

I understand and I acknowledge that this is a difficult issue. There is tremendous sensitivity associated with your local hospital, but we firmly believe this will improve the quality of care for people in the community.

#### AGRI-FOOD INDUSTRY

**Mr. Lou Rinaldi:** My question is to the Minister of Agriculture, Food and Rural Affairs. Members of this House know that food produced by Ontario farmers is among the freshest, safest and best quality in the world. As we have moved forward with our Buy Local strategy, my constituents are more and more aware of the benefits of buying food that is produced right here in Ontario.

In 2008 our government launched the multi-year Pick Ontario Freshness strategy. Buying Ontario produce,

meats, eggs and dairy products supports our local economies in rural Ontario and helps farmers get a price that is fair and reasonable for their hard work.

I recently read an article in the Guelph Mercury about There's No Taste Like Home, a mobile education trailer that was funded under the Ontario market investment fund. Could the minister please share with the House more information about the Ontario market investment fund and what sorts of initiatives could be supported?

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. Leona Dombrowsky:** Thank you very much, Speaker. I want to as well just acknowledge the work that you're doing to have the farmers' market on the lawn today. Thanks very much. We encourage members to go. And—

**The Speaker (Hon. Steve Peters):** Stop the clock for a second. I think I need to make it very clear to all members of the House that this initiative of the farmers' market on the front lawn is an initiative of the Speaker. I do not want it to be taken in or criticized as part of government. This is a Speaker's initiative. Thank you.

**Hon. Leona Dombrowsky:** Thanks very much, Speaker.

I'm happy that my colleague has asked about the program. It demonstrates the McGuinty government's commitment to continuing to work with our partners in rural Ontario. That is why we have committed \$12 million over three years to invest in partnership initiatives in our rural communities to support farmers—and not just farmers, but the businesses that benefit from their well-being as well. So far, there have been 62 successful projects that have been announced, and we have invested over \$3 million in the Ontario market investment fund.

We are committed to working with our partners in rural Ontario. This is yet another example of how the McGuinty government is working to support rural economies in our province.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Lou Rinaldi:** I know the farmers in my riding appreciate the Pick Ontario Freshness strategy, as it aims to open up the local market for them and help them get a better return on the hard work and resources they put into it.

Partnerships along the value chain between local producers, processors and grocery chains are crucial to ensure that Ontario demand for Ontario food products is met. Farmers in my riding appreciate the direction that our government has taken in partnering and working closely with them to help address the challenges the sector is facing, while at the same time helping to advance new economic opportunities for farmers through our Buy Local strategy and other initiatives.

The Ontario market investment fund program has been a huge success in my riding. Could the minister please share with the House information on how the OMIF program has benefited other communities in Ontario?

**Hon. Leona Dombrowsky:** Over the course of the summer there have been a number of announcements in ridings right across the province. I want to talk about one



that happened in Renfrew county. That was with regard to Taste of the Valley. The province of Ontario, the McGuinty government, provided \$9,000 to Taste of the Valley, and that was to sponsor events in three communities: Barry's Bay, Arnprior and Cobden.

We've also supported initiatives that have come to us from communities in Haldimand county: the Harvests of Haldimand, local food guides and culinary events. They received \$22,000. We have the Newmarket Main Street Farmers' Market. They brought us a proposal; we were able to provide them with \$5,000 to promote locally grown food. The Savour Muskoka initiative was a \$50,000 grant from the McGuinty government for eight—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### GOVERNMENT SERVICES

**Mr. John Yakabuski:** To the Minister of Government Services: Minister, your decision to close privately operated licence offices in the city of Pembroke and the town of Renfrew in of my riding of Renfrew–Nipissing–Pembroke will have serious negative repercussions on the people of those communities. Jobs will be lost, businesses will close and, according to everyone I've spoken to, service will be reduced.

Minister, you made this decision without any consultation or due consideration. Will you do the right thing, rescind your decision to close these offices and restore good services to these communities?

**Hon. Harinder S. Takhar:** I think I answered this question yesterday too, but let me just repeat this again.

This whole initiative is about increasing services by modernizing our ServiceOntario centres. We are also expanding health card services to all 300 ServiceOntario centres; it is now only available in about 27 centres.

This is about expanding services; this is about increasing services. In rural Ontario alone, services will go from two locations to about 163 locations for health cards. In northern communities it will go from six locations to 67 Ontario centres. It is all about improving services.

We are evaluating the situation. If we feel that in any community the service being provided is not up to the standard of the services being cut, we will evaluate the situation and take steps to make sure that the right services at the right levels in the right communities are being provided.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. John Yakabuski:** Minister, you can slice that and dice that and you can spin it any way you want, but it still comes up baloney.

You are going to be closing privately operated offices in the province of Ontario and in communities in my riding. Those offices have consistently been the best-run offices anywhere in Ontario. Whether I talk to average citizens on the street or to auto dealers in my riding, they tell me that your decision will result in reduced services to them and their communities.

I am going to ask you one more time: Will you reverse this ill-considered decision that was made without consultation and restore the proper services to those communities and all the other communities across the province, including those in the Minister of Agriculture's riding, so that we get good services in our licence bureaus?

**Hon. Harinder S. Takhar:** I think the member was very, very emotional and I'm not sure I really got what he was saying.

Let me just quote what he said before. When we announced this initiative in July, here is what the member said. He said: "It just makes sense ... I'm pleased that after six years the government is listening with respect to amalgamating these services under one roof.... This is a positive announcement." It's the same member who said this.

On September 28, 2008, the member from Renfrew–Nipissing–Pembroke said: "We have driver licence issuing offices throughout the area that are equipped with the staff, cameras and the secure computer system that could easily handle the issuance of health cards in the same effective and timely manner as they do driver licences"—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

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### AIR QUALITY

**Mr. Peter Tabuns:** My question is to the Premier. As you know, the Clarkson airshed in Mississauga is stressed, it's polluted, and yet your government insists on building a new gas-fired power plant in that region. Why are you gambling with the health of the people in south Mississauga?

**Hon. Dalton McGuinty:** The Minister of Energy.

**Hon. George Smitherman:** To the contrary. First, I think it's important that the honourable member acknowledge that Ontario is moving forward as a jurisdiction in North America to eliminate coal-fired generation. This is a fantastic ambition on behalf of the people of the province. We recently announced that we'll be closing two units at Nanticoke and two units at Lambton, all of which, as an example, are upwind of the area that the member speaks about.

In addition to that, working with the Ministry of the Environment, local officials and the MPPs in the area, we're generating the capacity to look for offsets of emissions in the very same airshed, making progress on a continual basis to improve the quality of air for people not just in that part of our province but indeed all across Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Peter Tabuns:** Premier, your minister speaks about the need for investment in conservation and renewable power, but when it comes down to the crunch, in an area where the air quality is overtaxed, we don't have a plan for substantial investment in renewable power or



conservation. What we do have is people who are breathing air that is already over-polluted by your standards.

Why is your government not bringing forward a plan to deal with the power demand in that area with an aggressive conservation and renewable plan? Why aren't you doing that?

**Hon. George Smitherman:** I encourage the honourable member to actually read up on the subject, because he has missed a couple of important points. First and foremost, the Green Energy Act entitles project proponents from the First Nations and Metis communities all across the breadth of the province to initiate renewable energy initiatives, and the honourable member knows that very well.

I think what he has missed is that we will be moving forward—the ministry and the Ontario Power Authority, in partnership with the Ministry of the Environment and all local players—to address offsets in the very same airshed through aggressive conservation and energy efficiency initiatives that are targeted at specific companies that are producing electricity for their own needs and creating emissions in that very same airshed.

This is something that has never been done in the province of Ontario, that was won because of the hard-fought efforts of local representatives, and stands to be a model that can improve circumstances when we do have airsheds that need some additional efforts. This is exactly the conservation and energy efficiency—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### LOW-INCOME ONTARIANS

**Mr. Khalil Ramal:** My question is for the Minister of Children and Youth Services.

There is no doubt that families are being hit hard by the economic times we are facing. I am hearing often from families who have lost their jobs or had their hours reduced at work and are struggling to make ends meet.

These days kids are going back to school, and families are trying their best to create a good environment for their kids to be able to study, and especially to provide clothes and food.

Minister, can you tell us what you're doing to support low-income families' efforts to provide for themselves?

**Hon. Deborah Matthews:** I'd like to thank my colleague for the question and for his ongoing passion and interest in this issue.

We know that parents want the very best for their kids and that they work very hard to provide them with every possible opportunity. But these economic times are putting more pressure on families and now, more than ever, they need a little extra help. That's why this past July we almost doubled the Ontario child benefit, increasing it to \$1,100 per child per year, two years ahead of schedule. This extra support means that parents won't have to choose between feeding the kids and paying the rent. It means that some kids will now have the oppor-

tunity to participate in sports and music lessons. Those things can enrich a child's life chances.

We're making real progress. Under our strategy, a single parent with two kids, working full-time, will have an increase in their income—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Khalil Ramal:** There has been a lot of talk lately about the impact of these economic times on the ability of families to provide nutritious food. For instance, we know that food bank use is up in communities across the province of Ontario. Just this summer, the Daily Bread Food Bank reported that usage in the GTA hit over a million users.

Can the minister tell us what she's doing to support those families, and especially to support students when they go to school—for nutrition, to give them the ability to study?

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. Deborah Matthews:** As I was saying, under our strategy, a single parent with two kids, working full-time, will see an increase in their income of 54% since we were elected in 2003. That's \$10,000 more to spend on those things that will help their kids be the very best they can be.

When it comes to nutrition, we know that kids learn better when they've had a healthy breakfast or a healthy snack. That's why we've expanded student nutrition. We've quadrupled funding for student nutrition. Last year alone, we doubled the funding for this program. It means that that program is now serving over 400,000 kids. It allowed us to enhance 300 programs; it allowed us to create 700 new programs.

But we don't do this alone; we do this in partnership with communities, with businesses, with service clubs, with schools. Working together, we really can achieve our target of reducing the number of kids in poverty by 25% over the next five—

**The Speaker (Hon. Steve Peters):** Thank you.

#### USE OF QUESTION PERIOD

**The Speaker (Hon. Steve Peters):** I just want to take this opportunity to remind members of a ruling that I made back in June, and it made reference to standing order 37(d), dealing with oral questions:

"In putting an oral question, no argument or opinion is to be offered nor any facts stated, except so far as may be necessary to explain the same; and in answering any such question, the member is not to debate the matter to which it refers."

In that June 4 ruling, I indicated that there were certain general principles governing the form and content of questions, and at that time I asked for greater observance of those principles. The crux of that ruling was that, to begin with, while there may be many other motives, the primary purpose for asking a question is to extract information from the government and to call it to account. Specific to that point of order at the time, questions



should not be hypothetical or merely seeking to elicit an opinion from a minister of the crown.

I would just ask that all members be conscious of that, and perhaps it is an issue, I would say to the government House leader, that you may want to have a discussion about with the other two House leaders at a House leaders' meeting. I have observed some expressions from the two House leaders today, and I think it may be a good thing to have that discussion on 37(d).

**Mr. Peter Kormos:** On a point of order, please, Mr. Speaker. I appreciate your comments.

On behalf of the New Democrats, we are calling upon you to invoke standing order 37(a) and (d). It will require some discipline amongst all of us. You've been very successful at ensuring that questions are put in the third person through the Speaker. You won that one. I'm asking you to please help us win compliance with 37, especially (a) and (d).

**The Speaker (Hon. Steve Peters):** The member from Leeds—Grenville on the same point of order.

**Mr. Robert W. Runciman:** There was a brief discussion on this subject at the House leaders' meeting earlier today. I think we all concur that the rules should be complied with and look to you for your guidance in this matter.

I think we can certainly encourage the membership of all three caucuses in our roles as House leaders to meet that standard. But I think ultimately, as you know, it's your objective approach to the matters that are dealt with in this House that we all depend on at the end of the day.

Speaker, I want to indicate to you—obviously, I have in the past—my admiration for the way you've conducted business since assuming that chair.

We will encourage our members to follow as closely as possible. We know there are occasions when you are going to have to show discretion, and we appreciate and understand that. But I share the concern that my colleague in the NDP has expressed as well, that we've seen question period in some respects, in terms of compliance with this rule, deteriorate significantly.

We encourage your, I guess, stricter insurance of the rules, and we will do what we can, from our caucus's perspective, to ensure that we can assist you in that matter.

**The Speaker (Hon. Steve Peters):** The government House leader on the same point of order.

**Hon. Monique M. Smith:** At the risk of standing between our colleagues and the farmers' market, let me just say that we did discuss this in our House leaders' meeting this morning. I did have the opportunity to raise it with you. I appreciate you raising it here in the House. All three House leaders, I think, have indicated that we will all undertake to work with our caucuses to adhere more strictly to the standing orders and the rules as they are applied.

**The Speaker (Hon. Steve Peters):** I appreciate that the issue will be looked at. I would just say that one of the challenges I have as Speaker is when I recognize a member and it starts as a question and it becomes, in

many ways, a bit of a member's statement, but then it often comes around to actually being that question. I think it's often that content from the beginning, from the moment the member stands up to that question, that is causing some difficulty. But I would appreciate the co-operation of all members in dealing with that.

I would just also like to remind the members that there is a farmers' market on the front lawn of Queen's Park today. There is some wonderful Ontario product for sale, and I would encourage you to go out and visit and do some of your fall shopping now; particularly, there are some great Ontario apples out there.

With that, this House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1141 to 1500.*

## INTRODUCTION OF VISITORS

**Mr. Tony Ruprecht:** I have the great pleasure to introduce to the House a very special delegation from the People's Republic of China. The delegation is headed by Mr. Bing Lu, a member of the standing committee of the Chinese national congress. With him is Mr. Mingwu Huo, who is the consul of the People's Republic of China; and our liaison officer, Dr. John Hui. Welcome.

## MEMBERS' STATEMENTS

### LOUIS BRAILLE

**Ms. Sylvia Jones:** I'm pleased to rise today to recognize the anniversary of a champion and innovator for visually impaired people across the world, Louis Braille. This summer marks the 200th anniversary of the birth of Louis Braille.

Louis was blinded at the age of three during an accident. By the age of 15, he created a reading system we have come to know as Braille. Braille is a tactile system of six raised dots, representing letters of the alphabet, which is widely in use today as an effective means of communications for the visually impaired.

For people with vision loss, Braille is the key to literacy, leading to successful employment and independence. It provides the tools to read and write independently, and helps build skills in spelling, grammar and punctuation.

Braille can be found almost anywhere that print is found: on restaurant menus, ATM keyboards, business cards, textbooks and sheet music. Today, Braille has been adapted to every known language in countries around the world.

How unfortunate, then, that the McGuinty Liberals' tax grab means that books for the blind will be taxed under the HST, starting next July 1.

The impact that Louis Braille has had on communications for the visually impaired is immeasurable. Thank you, Louis Braille. The possibilities are endless.



### WALK A MILE IN HER SHOES

**Mr. Pat Hoy:** Last Sunday, I participated in Walk a Mile in Her Shoes, inspired by the old saying, "You can't understand a person's experience until you've walked a mile in their shoes."

Men from all walks of life walked one mile in women's high-heeled shoes to raise awareness and to end violence against women. Fifteen thousand dollars was raised for the Chatham-Kent Women's Centre. Seventy-five men, including me, walked a mile down King Street in Chatham while wearing red high heels. Although it was a challenging and fun experience, the men in the community came together for a very worthy cause. Proceeds benefited the Chatham-Kent Women's Centre, their violence prevention efforts and programs for local women and children. The centre supports women and children who are facing violence by providing safe shelter, community outreach, counselling and public education.

All of us have a role to play in ending violence against women. Every day in Ontario, individuals and communities are working hard to end this violence. Our government is committed to protecting women and children from domestic violence. We are providing more than \$208 million this year to protect women from violence and to support victims of abuse. Raising community awareness is critical if we are to achieve our goal of supporting the women and children of this province to experience lives free of violence.

Thank you to the Chatham-Kent Women's Centre for their tireless hard work and for making Sunday's event such a huge success.

### TOWN OF THE BLUE MOUNTAINS

**Mr. Jim Wilson:** I rise to bring to the attention of this House the devastation that was caused by the F2 tornado that touched down in the Town of the Blue Mountains on August 20.

The morning after the storm, I joined Mayor Ellen Anderson on a tour of the damage. Seeing roofs ripped off houses and apple orchards obliterated was overwhelming. Thankfully, the municipal response has been excellent. Following the tour, we met with the local emergency management committee to hear from emergency services personnel.

I want to thank Steve Conn, the town's emergency management coordinator, for his diligent efforts in helping to direct the local response, and I want to applaud Mayor Anderson, council and municipal staff for their swift response to the storm.

Sadly, Georgian Bay's apple growers were particularly hard hit. Some 15 farms were damaged, causing at least 4,500,700 pounds of apples to be lost.

I want to thank the Ministers of Agriculture and Natural Resources for touring the area, and I appreciate the assistance of the Minister of Municipal Affairs. Today, he notified me and the mayor that he has declared

the affected lands a disaster area, making the town eligible for disaster relief. While this designation is important, it is expected that our apple growers will need extraordinary assistance over and above existing programs and insurance.

I just want to urge the government to continue to work with us so that the Blue Mountains can quickly recover from this storm damage.

### FIREFIGHTERS

**Mr. Paul Miller:** MPP Andrea Horwath's fight for presumptive legislation for firefighters was clear. It included all full-time, all part-time and all volunteer firefighters. When the government finally acted on her efforts, it did so in a half-hearted measure and a mean-spirited way. It chose to exclude part-time and volunteer firefighters. These firefighters are the lifeline for many communities throughout our province. This government's exclusion of part-time and volunteer firefighters has been decried by many municipalities, which have adopted resolution after resolution imploring the McGuinty Liberals to fix their error and include part-time and volunteer firefighters.

This huge mistake was highlighted for me by Peter Chaisson, a Stoney Creek firefighter who fought the horrible Chipman chemical plant fire in the late 1970s. Peter never smoked, but is now fighting lung cancer and has been on a dialysis machine for many years—the result of the Chipman fire? Presumably. Peter lives in a nursing home now and has all but been forgotten by the government.

On behalf of Peter and all the other firefighters who have been ignored, forgotten and left uncovered by the McGuinty Liberals, I implore the Premier to finally get it completely right, to move immediately to include all firefighters in the presumptive legislation. Make sure that Peter Chaisson and other part-time and volunteer firefighters finally get the respect, the thanks and the coverage that they truly deserve.

### TIM HORTONS

**Mr. Kevin Daniel Flynn:** It gives me great pleasure to rise today and talk about one of my favourite topics, something most of us in this House probably enjoyed this morning as well. Yes, I'm talking about Tim Hortons, and I'm proud to say that, once again, Oakville will be the new home of the head office of this Canadian icon. That's right: This ode to early morning hockey practices, long winter days spent outside and the popularity of the double-double is returning from the United States to its rightful home in this wonderful province.

While many of us applaud this move because we know Tim Hortons rightfully belongs in Ontario, we must recognize an equal truth. The McGuinty Liberals have created a competitive tax structure in this province, and that will encourage more of these moves in the future.



The Tim Hortons board acknowledged that the competitive tax system as a primary motivation for its move back to Ontario. The McGuinty government has taken bold action to reduce the corporate income tax rate to 12% next year, cutting it again to 10% over the next three years. This is going to make Ontario more attractive to businesses and create the jobs of today and for tomorrow.

I have to say that as a proud representative of the community of Oakville, I'd like to extend my sincere thanks to the members of the board of Tim Hortons and to say, "Welcome home to Oakville. Welcome home to Ontario. Welcome back to Canada."

#### DOUGLAS MEMORIAL HOSPITAL

**Mr. John O'Toole:** On behalf of our leader, Tim Hudak, and the entire PC caucus, I rise in the Legislature today to recognize and support members of the Fort Erie community who came here today to Queen's Park to fight to save Douglas Memorial Hospital, their hospital in our leader's riding. The Minister of Health needs to intervene or Fort Erie's one and only hospital will lose its emergency room on September 22.

Douglas Memorial Hospital is very near and dear to our leader and our caucus. In fact, our leader, Tim Hudak, was born and raised in Fort Erie. Under Premier Harris, the Ontario PCs stood together with Fort Erie, Port Colborne, Petrolia and many other small communities, including some in my riding, to successfully fight against a similar short-sighted proposal to effectively close rural hospitals.

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We were pleased to stand up and join in that fight against this minister and ask for the support of the Ontario Medical Association moratorium to stop health care restructuring decisions until the rural and northern health care panel's reports and recommendations are tabled. The region of Niagara—in fact, all 12 of the region's municipal councils—have adopted and supported this moratorium.

Now it's your turn, Minister. Today Tim Hudak and the entire Ontario PC caucus call on Minister David Caplan to support the emergency services at Douglas Memorial Hospital, and indeed 25 other hospitals which are similarly threatened. All small hospitals in Ontario should feel very threatened under this minister and under this government. Let's put a stop to it now.

#### BIOREM

**Ms. Leeanna Pendergast:** We're all aware of the problem of climate change and that climate change doesn't simply cease during difficult economic times. That's why it gives me great pleasure to be part of a government that's taking bold action to create green infrastructure, to stimulate the economy and to create jobs. I see this in my riding of Kitchener-Conestoga with the McGuinty government's contribution of over \$4

million to our consolidated maintenance facility for solar panels.

Today I highlight the McGuinty government's recent investment of \$1.2 million in Biorem, through the innovation demonstration fund, to bring its air filtration and purification technology to the global market. This funding will help Biorem showcase its Unity technology to customers and investors, including a project at the Preston Wastewater Treatment Facility in Cambridge. It's cutting-edge technology. It will help clean the air we breathe and create the value-added, high-skill jobs of the new knowledge economy. The company anticipates hiring 27 new employees over the next five years, including engineers and mechanical technologists.

While we know there's more to do, this government will continue to work hard to improve and clean the air we breathe and to help create the jobs that we need.

#### TAXATION

**Mrs. Carol Mitchell:** Ontarians read every day about the impacts of global financial uncertainty. While the worst may well be over, we need to ensure that Ontario businesses emerge stronger, to spur new investment and new jobs so they can produce more, export more and, most importantly, create more jobs.

The McGuinty government has responded with both immediate and long-term tax reforms that will improve the quality of life for all Ontarians by strengthening our economy while providing additional benefits to those who need them most.

We are putting more than \$1.1 billion annually back into the pockets of Ontario's families through permanent, broadly based, personal income tax cuts that will see 93% of Ontario taxpayers pay less in their personal income tax. And to make that transition to the HST as smooth as possible, we're going to give families with less than \$160,000 of net income a year tax-free payments totalling \$1,000, and single persons with less than \$80,000 of net income a year will receive three tax-free payments totalling \$300.

These tax relief initiatives underscore the McGuinty government's commitment to Ontario's families and our belief in their future prosperity—

**The Speaker (Hon. Steve Peters):** Thank you.

#### RAMADAN

**Mr. Shafiq Qaadri:** Salaam Alekum. I am proud to rise today to speak about the month of Ramadan, the ninth month of the Muslim calendar.

Muslims in Ontario joined with those worldwide, Speaker, as you know, to engage in the month of the fast, in which people not only abstain from food and drink from dawn to dusk but also curb various appetites and strong emotions. It is a time for prayer, for reflection, for giving thanks, for personal sacrifice and acts of charity. This is a special time when Muslims renew their faith with family and community, and commemorate the

various bonds between man, God, family, nature, history and society.

Part of the many celebrations and commemorations in the month of Ramadan is the special tradition of having get-togethers when children, usually in their early teens, try one or two days of fasting. My own daughter Shamsa, aged 10, tried one day of fasting and enjoyed the whole experience immensely.

The ultimate goal, of course, is to purify body, mind and soul.

I also find it incredibly heartening that our schools take time to teach children about this and many other religious celebrations that make up the mosaic of Ontario. This, of course, helps to impart the virtues of harmony, understanding and peaceful coexistence in Ontario's wonderful multicultural society.

The month of Ramadan ends this weekend with the festival of Eid, in which people exchange gifts, overeat and renew ties with family and friends. All of us in Ontario are grateful to be living in, in the Premier's words, "the most blessed province in the best country in the world." Eid Mubarak.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

**Mr. Bas Balkissoon:** I beg leave to present a report from the Standing Committee on the Legislative Assembly, pursuant to standing order 111(b).

**The Speaker (Hon. Steve Peters):** Mr. Balkissoon presents the committee's report. Does the member wish to make a brief statement?

**Mr. Bas Balkissoon:** Not at this time. The report is pretty straightforward.

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 111(b), the report is deemed to be adopted by the House.

*Report deemed adopted.*

## INTRODUCTION OF BILLS

### PUBLIC SECTOR EXPENSES REVIEW ACT, 2009

#### LOI DE 2009 SUR L'EXAMEN DES DÉPENSES DANS LE SECTEUR PUBLIC

Mr. Takhar moved first reading of the following bill:

Bill 201, An Act to provide for review of expenses in the public sector / *Projet de loi 201, Loi prévoyant l'examen des dépenses dans le secteur public.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement.

**Hon. Harinder S. Takhar:** I will make my statement during ministerial statements.

### EDUCATION STATUTE LAW AMENDMENT ACT (ELECTRONIC SEXUAL MATERIAL), 2009

#### LOI DE 2009 MODIFIANT DES LOIS EN CE QUI A TRAIT À L'ÉDUCATION (DOCUMENTS ÉLECTRONIQUES À CARACTÈRE SEXUEL)

Mr. Martiniuk moved first reading of the following bill:

Bill 202, An Act to protect our children from pornography / *Projet de loi 202, Loi visant à protéger nos enfants contre la pornographie.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Gerry Martiniuk:** The industry estimates that only 35% of our schools and libraries in Ontario filter pornography on their computers. This bill would make it mandatory that the use of filtering pornography systems be installed for all computers in schools and libraries in Ontario.

## MOTIONS

### APPOINTMENT OF PRESIDING OFFICERS

**Hon. Brad Duguid:** I believe we have unanimous consent to put forward a motion without notice regarding the presiding officers of the Legislature.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Brad Duguid:** I move that, notwithstanding the orders of the House dated December 5, 2007, March 26, 2009, and September 14, 2009, Mr. Wilson, member for the electoral district of Simcoe-Grey, be appointed First Deputy Chair of the committee of the whole House; Ms. DiNovo, member for the electoral district of Parkdale-High Park, be appointed Second Deputy Chair of the committee of the whole House; and Mrs. Munro, member for the electoral district of York-Simcoe, be appointed Third Deputy Chair of the committee of the whole House.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*



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## STATEMENTS BY THE MINISTRY AND RESPONSES

### AGENCY SPENDING

**Hon. Harinder S. Takhar:** I rise today to inform the House of steps very recently announced by Premier McGuinty to provide further accountability and transparency with regard to the use of taxpayers' dollars.

Every taxpayer dollar counts, particularly in these difficult economic times. It is more important than ever to ensure that we all take responsibility for ensuring that hard-earned tax dollars are spent wisely.

The Public Sector Expenses Review Act, 2009, if passed, would empower the Integrity Commissioner to review the expense claims of senior officials who are employed by or appointed to our largest public agencies, boards and commissions. A common set of expense rules would be established under the act that agencies would be required to follow. This will ensure that agency expenses are in alignment with the rules that apply to others in public service, including cabinet ministers. If the Integrity Commissioner determines that all or part of an expense is not allowable, she may require repayment of the expenses in whole or in part. The Integrity Commissioner may also command other remedial action. Under the proposed act, the Integrity Commissioner will be required to give the Speaker of the assembly a written report each year.

While the vast majority of public servants follow the rules and work hard to protect tax dollars, some do not. That is why we have taken new steps to ensure that each of us understands and follows the rules regarding expenses.

The introduction of this act today follows a number of actions recently announced by this government to ensure that taxpayer dollars are not being misspent. Most recently, the government announced that expenses for the Ontario public service's senior management, cabinet ministers, political staff and senior executives at Ontario's 22 largest agencies will be posted online, starting no later than April 1, 2010. We also announced that we will increase the number of random audits of expenses to ensure that rules are being followed. During annual audits of Ontario's agencies, boards and commissions, external auditors will be required to look at expenses and expense practices to ensure that rules are followed and internal controls are in place.

On September 1, 2009, the Premier announced that 22 of the province's largest agencies, boards and commissions will be required to have the expense claims of senior officials reviewed by the Integrity Commissioner. This requirement is similar to the same rigorous oversight provision that currently applies to cabinet ministers and the political staff. Expenses deemed unacceptable will have to be paid.

Also on September 1, the Premier directed agencies, boards and commissions to strictly adhere to the rules of the Ontario public service's Travel, Meals and Hospitality Expenses Directive. We also announced an external government-wide review of accountability at agencies, boards and commissions to ensure that the interests of taxpayers are protected. These actions are designed to shine a light on expenses so Ontarians will know who exactly is spending what exactly.

The vast majority of public servants and appointees to our agencies, boards and commissions know the rules and follow the rules. The steps that our government has taken will make it easier for everyone to know the rules and harder for anyone to break the rules. We are putting in place more education, more oversight and more transparency to achieve greater accountability. I am confident that the public servants working for Ontarians, both inside the government and in our agencies, boards and commissions, will, because of the steps we have taken, better appreciate our shared responsibility to be respectful of taxpayer dollars. Every person working for taxpayers must take responsibility for knowing the rules and following the rules, just as our government will continue to take responsibility for enforcing the same rules.

I want to thank you, Mr. Speaker, for giving me the opportunity to make this statement. I look forward to my colleagues on the other side supporting this bill as well.

**The Speaker (Hon. Steve Peters):** Statements by ministries? Responses?

**Mr. John O'Toole:** In fact, I'm shocked and disappointed today—no different than the last time they talked about PricewaterhouseCoopers and that they were going to do an audit. This really comes down to a matter of trust. Ultimately, the people of Ontario, in my view, have lost trust.

The real key here is, Minister, you above all should know that the buck stops with the Premier. You personally have experienced this reversal of decisions in the past, shall I say. Minister, you are being used, in my opinion, and you should be able and man enough to stand up against it. They're asking you to hide the OLG and the eHealth scandal and the other scandals that are still out there to be discovered. In fact, Minister, you are being asked to close the door after the horses have run away.

I ask you if you are speaking today to the members of the Legislative Assembly of Ontario on behalf of the Premier. I gather and I assume that you are. It's my suggestion to you, Minister, that this responsibility of integrity and oversight belongs foremost with the minister, in your case, or with Minister Duncan or any of the ministers of the crown. Are you suggesting that the Dalton McGuinty cabinet is incompetent or incapable of oversight of the ministry they're charged to overlook? I am surprised, as I said, and disappointed. Their answer to this is to shift the responsibility and the focus to the Integrity Commissioner's office.

Our leader, Tim Hudak, spoke to the office, and yes, there had been a conversation, and what did Lynn say? She said that it is up in the air just now.



You talked about the Integrity Commissioner in a way that they are somehow going to assume this responsibility with not much interruption. We know that there could be as many as 80,000 employees filing expenses. It could amount to a million or more expense documents to be audited. The Integrity Commissioner's office has eight employees today under their charge. My next assumption is that Premier McGuinty is now creating another bureaucracy. This bureaucracy is to shuffle paper and create reports that are brand new and an additional—almost like another layer of government, arm's length, but are they arm's length? The arm's-length component—when they ruled on the Takhar case a while ago, the Premier overruled that. It's in the press today. The media are quite aware that you're trying to shift the focus from the Premier.

My conclusive remark is this. It was said by a great president of the United States, "The buck stops here."

**Mr. Jeff Leal:** Harry Truman.

**Mr. John O'Toole:** Exactly. That president knew when he was responsible for the ultimate decisions of government. So I assume that they've used this minister, kind of a junior ministry that he has, and that ministry is now being asked to shuffle this responsibility of spending taxpayers' money. We've seen, during the summer of the scandal, things that to me are shocking and disappointing. I think it's time for real leadership with a real plan instead of these words and documents, to shift it over to a non-elected, non-accountable, arm's-length agency. I would say the eHealth agency was an arm's-length agency. How did they do? I wonder if your speech actually cost \$25,000 today. I think it was worth about 25 cents, but my point here is, this legislation does not nearly address the issue. What it's trying to do is trying to obfuscate, to shuffle off, to deflect and defer the responsibility of this Premier. He's absent of responsibility for an extremely important consequence of spending taxpayers' money. Imagine wining and dining while the people of Ontario are suffering unemployment and an economy is in shock.

There's a lesson to be learned here: We are all for accountability. You have voted against many of our initiatives about accountability. We want to see the real action of this legislation, and we don't want you to be shuffling off what belongs to the minister to be responsible, whether it's the eHealth scandal, the lottery scandal or the scandals yet to be determined. There's more—

**The Speaker (Hon. Steve Peters):** Thank you. Responses?

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**Mr. Paul Miller:** I can't help but think that once again the McGuinty government is late for the party, but this time the party may have cost hard-working Ontario taxpayers tens of millions of dollars in questionable expense claims at eHealth, Ontario Lottery and Gaming, and who knows where else. It all leaves Ontarians rightly asking whether this government is truly committed to accountability or whether it is all smoke and mirrors.

I say that for a couple of reasons. First, the government has a habit of only releasing information when it is caught. The only way they come clean is when their

hands are in the cookie jar. They're introducing this bill only after they have been caught. What happened to the last six years? Why only now?

Second, but equally troubling, is the allegation we heard yesterday that the Premier's assistant chief of staff was involved in screening and managing freedom of information requests made in government agencies. We heard that allegation on the same day that the Premier boasted of the government's commitment to the FOI process, saying his government has "truly enhanced transparency and accountability in the province of Ontario."

Gangs of political spin doctors shouldn't be reviewing freedom of information requests. They have no business being involved in which information is being released and which is not. They shouldn't be involved at all. It's time for the Premier to come clean on whether he sent his assistant chief of staff to a meeting with the former head of OLG to make sure that the FOI didn't embarrass the government.

We have to question why the Premier would not answer the question asked by NDP leader Andrea Horwath this morning. Why did he fob it off to his Minister of Finance? Was the Premier once again going to be questioned about being economical—a good word—with the truth, so he ducked his responsibility to respond and his accountability to the people of our province?

The Minister of Finance's assertion that "We will respond to that in due course and in an appropriate fashion" is absolutely unacceptable. Question period is "due course," and the "appropriate fashion" is to respond openly and honestly, not the time to weave and bob around the truth.

The people are getting wise to these tactics, to the great show with no substance. They know that the only thing that is transparent is how this government is trying to hide behind smoke and mirrors.

It's time for the Premier to come clean on all the untendered contracts in ministries and all—I repeat all—agencies, boards and commissions under his jurisdiction. That's what NDP leader Andrea Horwath has been calling for.

It's time for the Premier to come clean on his relationship with high-priced, well-connected consultants with ties to the upper levels of the Liberal Party.

Accountability will only come when this Premier comes clean with the truth. The legislation today doesn't do that. It doesn't blow the lid off the scandals that have emerged and will continue to emerge in the coming months.

Ontarians deserve a full and transparent review of what has happened and a plan to ensure that it never—I repeat, never—happens again. Only when this government decides to be forthcoming with all relevant information and documentation will we all know that the legislation is not a mere window dressing of smoke and mirrors.

It simply doesn't cut it. No matter how hard this minister and his Premier try to say it does, the people of Ontario are very clear: They know that it does not resolve or respond to this government's abuse of their money.



## PETITIONS

### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** It is my pleasure to present another 200 names from the people of Sudbury for bringing a PET scanner to Sudbury Regional Hospital, and it goes as such:

“Whereas the Ontario government is making positron emission tomography, PET scanning, a publicly insured health service available to cancer and cardiac patients ...; and

“Whereas, by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay ...; and

“Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine ...;

“We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario....”

That brings to 400 the people who support this petition. I fully support it myself and will send it to the table with page Robert right after I sign it.

### SCHOOL FACILITIES

**Mr. Jim Wilson:** “To the Legislative Assembly of Ontario:

“Whereas the government of Ontario has provided \$530,000 to Pretty River Academy, a private school in Collingwood, to build a soccer field for its 156 students; and

“Whereas applications by the town of Collingwood for other, more needed public recreational facilities under the same program were turned down;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That Premier Dalton McGuinty and the Liberal government withdraw the grants made to Pretty River Academy under the recreational infrastructure program and redistribute them to facilities that will be in the public domain.”

I’m going to give that to the page to give to the table.

### TAXATION

**Mr. Paul Miller:** I rise today with this petition:

“Whereas Ontario has lost 171,000 jobs since October and over 300,000 manufacturing and resource sector jobs since 2004; and

“Whereas many families are facing the threat of layoffs or reduced hours; and

“Whereas, rather than introducing a plan to sustain jobs and put Ontario’s economy back on track, Dalton McGuinty and his government chose to slap an 8% tax

on everyday purchases while giving profitable corporations a \$2-billion income tax cut;

“Be it resolved that the undersigned call on the Legislature to cancel the scheduled implementation of sales tax harmonization.”

I affix my signature to this, and Carlos will be bringing it down.

### HOSPITAL FUNDING

**Mr. John O’Toole:** Earlier, I read a petition on the hospital emergency in Fort Erie on behalf of our leader, and today I read another one on behalf of my riding of Durham. It reads as follows:

“Whereas the municipality of Clarington passed resolution C-049-09 in support of Lakeridge Health” hospital in “Bowmanville; and

“Whereas area doctors, hospital staff and citizens have raised concerns that Bowmanville’s hospital could turn into little more than a site to stabilize and transfer patients for treatment outside the municipality; and

“Whereas Clarington is a growing” municipality “of over 80,000; and

“Whereas we support the continuation of the Lakeridge Bowmanville site through access to on-site services, including emergency room, internal medicine and general surgery;

“Therefore we, the undersigned, request that the Legislative Assembly of Ontario and the McGuinty government”—namely, the Minister of Health—“take the necessary actions to fund our hospitals equally and fairly. And furthermore, we request that the clinical services plan of the Central East LHIN address the need for the Bowmanville hospital to continue to offer a complete range of services appropriate for the growing community of Clarington.”

I’m pleased to present this to one of the pages, Kingsong, and sign it.

### TAXATION

**Mr. Ted Arnott:** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas the 2009 budget provides that the province of Ontario will offset additional total costs to the municipal sector related to the creation of a harmonized sales tax; and

“Whereas Mini Lakes Residents Association is a non-profit Ontario corporation that provides water and waste-water services in accordance with all regulatory requirements to its community of 260 homes, with a primarily senior population in a rural municipality in which there are no municipal water and waste-water services available as an option; and

“Whereas the imposition of an additional 8% sales tax for all of the services that must be purchased by the Mini Lakes Residents Association in order to provide these services to the residents, in accordance with all regulatory requirements, will result in a significant increase in

cost to the residents that would not be the case where municipal services were provided;

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"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario also extend the offset of additional total costs related to the creation of a harmonized sales tax to designated non-municipal providers of municipal services where those municipal services are not available, including Mini Lakes Residents Association."

This is signed by 451 residents in the Mini Lakes community in Puslinch township, Wellington county. I support this petition, and I have affixed my signature to it.

### DOCTOR SHORTAGE

**Mr. Jim Wilson:** "To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is conducting a review of the province's underserviced area program (UAP) that will result in numerous communities across rural and small-town Ontario losing financial incentives to recruit and retain much-needed physicians; and

"Whereas financial incentives to attract and keep physicians are essential to providing quality front-line health care services, particularly in communities in rural ridings such as Simcoe-Grey; and

"Whereas people across Ontario have been forced to pay Dalton McGuinty's now-forgotten health tax since 2004, expecting health care services to be improved rather than cut; and

"Whereas taxpayers deserve good value for their hard-earned money that goes into health care, unlike the wasteful and abusive spending under the McGuinty Liberals' watch at eHealth Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government immediately stop its ill-advised attack on rural health care and on rural communities who need financial incentives to successfully recruit and retain doctors."

I agree with this petition, and I will sign it.

### DOCTOR SHORTAGE

**Mr. John O'Toole:** I'm pleased to present another petition. It sounds unusually similar to that just presented. Mine reads as follows:

"Whereas the McGuinty government is conducting a review of the province's underserviced area program (UAP) that may result in numerous communities across rural and small-town Ontario losing financial incentives to recruit and retain much-needed doctors; and

"Whereas financial incentives to attract and keep doctors are essential to providing quality front-line health care services, particularly in smaller communities" in Ontario; and

"Whereas people across Ontario have been forced to pay Dalton McGuinty's now-forgotten health tax since 2004, expecting health care services to" in fact "be improved rather than cut; and

"Whereas taxpayers deserve good value for their hard-earned money that goes into health care, unlike the wasteful and abusive spending under the" current "McGuinty Liberals' watch at eHealth" and others;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not reduce or eliminate financial incentives rural communities and small towns need to attract and retain doctors."

I'm pleased to sign and support this and present this to Alyssa, one of the new pages here.

### PENSION PLANS

**Mr. Jim Wilson:** "To the Legislative Assembly of Ontario:

"Whereas several paramedics in Simcoe county had their pensions affected when paramedic services were transferred to the county of Simcoe as their pensions were not transferred with them from HOOPP and OPTrust to OMERS, meaning they will receive significantly reduced pensions because their transfer did not recognize their years of continuous service; and

"Whereas when these paramedics started with their new employer, the county of Simcoe, their past pensionable years were not recognized because of existing pension legislation; and

"Whereas the government's own Expert Commission on Pensions has recommended that government move swiftly to address this issue; and

"Whereas the government should recognize this issue as a technicality and not penalize hard-working paramedics;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Finance support Simcoe-Grey MPP Jim Wilson's resolution that calls upon the government to address this issue immediately and ensure that any legislation or regulation allows paramedics in Simcoe county who were affected by the divestment of paramedic services in the 1990s and beyond to transfer their pensions to OMERS from HOOPP or OPTrust."

I agree with this petition and I will sign it.

### TAXATION

**Mr. John O'Toole:** It's terrific to have this many opportunities today to present petitions on behalf of my constituents in the riding of Durham.

It reads as follows:

"Whereas the proposed harmonization of the Ontario retail sales tax (RST) with the federal GST has the potential to increase costs to many small businesses and their customers; and



"Whereas these added costs ... have a devastating impact in difficult economic times, and organizations such as the Ontario Home Builders' Association" and other associations "have estimated harmonization would add" as much as "\$15,000 in new taxes to the price of a new ... home"—shameful;

"Therefore we, the undersigned, reject the harmonization of GST and RST unless there are exemptions to offset the adverse impacts of harmonization, so ... the outcome will be a reduction in red tape" and taxes.

I'm pleased to sign and support this and present it to the Legislature today.

### TAXATION

**Mrs. Julia Munro:** "To the Legislative Assembly of Ontario:

"Whereas the McGuinty government's plan to 'harmonize' the PST and GST will result in Ontario taxpayers paying 8% more for a multitude of products and services; and

"Whereas the 8% tax increase will increase the cost of services such as housing and real estate services, gasoline, hydro bills, home heating fuel, Internet and cable bills, haircuts, gym memberships, legal services, construction and renovations, car repairs, plumbing and electrical services, landscaping services, leisure activities, hotel rooms, veterinary services for the family pet and even funeral services; and

"Whereas Ontario taxpayers cannot afford this tax grab—particularly in the middle of a recession;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government of Ontario to abandon the sales tax increase announced in the 2009 budget."

I've affixed my signature and give this to page Robert.

### TAXATION

**The Deputy Speaker (Mr. Bruce Crozier):** Petitions? The member for Simcoe-Grey. I'm starting to lose track here of your order.

**Mr. Jim Wilson:** The repetition is throwing you off.

I want to thank David Turner from Alliston for sending this petition in. It says:

"Whereas the hard-working residents of Simcoe-Grey do not want a harmonized sales tax ... that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for, to name just a few, gasoline for their cars, heat, telephone, cable and Internet services for their homes, for house sales over \$400,000, fast food under \$4, electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snowplowing, air conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, vet bills, bus fares, golf fees, arena ice rentals, moving vans, grass

cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

"Whereas the blended sales tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I agree with this petition and I will sign it.

### HOSPITAL SERVICES

**Mr. John O'Toole:** I have another petition, and this one also addresses the issue of underfunding in health care. These are from people in my riding of Durham. It reads as follows:

"Whereas many Ontarians are concerned that Premier McGuinty's government's new local health integration networks," referred to as LHINs, "will lead to the concentration of health care services in large regional centres; and

"Whereas many local hospitals provide outstanding care in small communities; and

"Whereas Lakeridge Health Port Perry serves as an excellent model for a wide range of hospital care provided close to home; and

"Whereas citizens want to see the continuation of these services in their hospitals, including obstetrics, general surgery and" of course "the ER;

"Therefore we, the undersigned, ask" politely "that the province of Ontario support community-based hospitals through fair funding"—population-based—"and through policies that recognize the importance of local hospitals."

I'm pleased to present this petition to Ava, one of the new pages from my riding of Durham, and sign and support this petition.

**The Deputy Speaker (Mr. Bruce Crozier):** The time for petitions has passed.

### ORDERS OF THE DAY

#### STUDENT ACHIEVEMENT AND SCHOOL BOARD GOVERNANCE ACT, 2009

#### LOI DE 2009

#### SUR LE RENDEMENT DES ÉLÈVES ET LA GOUVERNANCE DES CONSEILS SCOLAIRES

Resuming the debate adjourned on September 15, 2009, on the motion for second reading of Bill 177, An Act to amend the Education Act with respect to student achievement, school board governance and certain other matters / Projet de loi 177, Loi modifiant la Loi sur l'éducation en ce qui concerne le rendement des élèves,



la gouvernance des conseils scolaires et d'autres questions.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

1550

**Ms. Leeanna Pendergast:** It's my absolute pleasure today to be able to rise in the House and speak to Bill 177, the Student Achievement and School Board Governance Act. I'm pleased to speak, of course, as the newly appointed parliamentary assistant for education, as a teacher and as a vice-principal. I'm thrilled to be here and to be part of this discussion.

*Applause.*

**Ms. Leeanna Pendergast:** Thanks, Yasir.

I did want to begin as the teacher that I am, and I would like to inject some clarity into the debate for the people of Ontario. I want to be a teacher and I want to make some corrections. There were some comments made by the member from Trinity-Spadina, the education critic for the third party. He looked at section 3, the statement of purpose in the bill, which reads, "All partners ... have a role to play." The comments were, "I don't know who the partners are." I say, on behalf of all of the staff in our schools, all of the partners, you need to know who the partners are. They put their heart and soul into our students and into student achievement, and I say to the critic of the third party that you need to know.

Comments were also made—"the critic said, 'Close the gap.' I don't know what 'close the gap' means." I'm concerned because I have a document written by the member from Trinity-Spadina and in the document he says, "Closing the gaps in student achievement means orchestrating higher EQAO scores." One day in the House he says, "I don't know," and the next day he has a document that clearly sets out that he thinks he knows. So I'm confused, and I guess as a point of clarification, student achievement is about much more than test scores. Test scores are one indicator, of course, but student achievement is about more than marks. It's about student self-esteem, it's about formative assessment, it's about summative assessment and it's about that whole process of learning, all the complex structures that are in place in our schools to support our students. It's about the whole student, it's about the teacher, it's about our education support staff; it's about all of those people in our schools that, again, put their heart and soul—it's a vocation to support our students to achieve and become contributing members of society.

I wanted to take a moment and talk about OPSBA, who support Bill 177, and again, make note of a correction; we heard something different yesterday. Today I wanted to read, for the record, what OPSBA has to say:

"We appreciate that we have had the opportunity for substantive contribution during the school board governance review process....

"There is deep consensus"—a deep consensus—"among OPSBA's member boards that setting the conditions that will provide a high-quality education for every student to succeed in school and in life is the

absolute first priority of a school board.... The current government has consistently adopted a collaborative approach to working with boards, engaging them in education policy development and providing resources to boost opportunities for, and reduce barriers to, high levels of achievement for all students."

I also wanted to look at the documents that the member of the third party sent out, and he quotes, "As a former school trustee I am incensed that parents' elected representatives are being muzzled." This is far from the way it is. Paula Peroni, the president of the Ontario Catholic School Trustees' Association and member of the governance review committee, says, "The Ontario Catholic Schools Trustees' Association is pleased to see that this new legislation affirms the importance of the role of the publicly elected trustee. It places new emphasis on student achievement and acknowledges the role that all partners play in enhancing student achievement outcomes."

So those are my corrections, as the English teacher.

I wanted to next look at comments that were made by Minister Wynne yesterday in her remarks on Bill 177. I thought that her focus on the tone in our schools, the tone of this bill, and the fact that it provides yet more opportunity for students who would not have succeeded without this government's support is a crucial element and one that I would like to reiterate. I know this first-hand, of course, as a vice-principal in a high school for 10 years. My full focus was to support those students who would not have succeeded otherwise, and I could not have done that without the supports of the McGuinty Liberal government since 2003. In our schools, we see a more supportive tone, we see student success teachers, we see high-skill majors, we see our graduation rates going up, we see our test scores going up. Of course, as a vice-principal, I have to acknowledge that our truancy rates are going down. This bill continues this government's track record of improving education.

We have a track record of consultation. If Bill 177 is passed, the regulations will provide for further consultations.

I wanted to quote from a letter from the Minister of Education, Minister Wynne, written to the president and executive directors of all four trustees' associations, as well as to the chair and executive director of the council of directors of education, and copied to all members at the partnership table. The minister writes: "Specifically, I'm confirming that if Bill 177 passes, we will distribute a draft of the provincial interest regulation to the trustee associations and other members of the partnership table for further consideration and input. In order to ensure that we not only get the bill right, but the regulation as well, we are proceeding with consideration of the bill. The consultation over this past summer has highlighted a number of important points that are being considered carefully by the ministry."

When I was in the school system for 21 years, it was consultation and communication that was key to moving forward, and I'm proud to be part of a government that



puts that communication and that consultation at the forefront of everything we do.

As a vice-principal, I was fascinated with education law, as well as safe schools, so I used to spend a lot of time reading the Education Act. That's kind of strange, isn't it? When you say it out loud, it's a little strange. I spent so much time reading the Education Act to be sure I understood my role and my job. The Education Act requires school boards to do a lot of things like hiring staff and building schools, it gives school boards duties and powers, but of course it doesn't speak to student achievement, which I would marvel at as an administrator. Nowhere in the Education Act does it speak specifically to student achievement or hold boards accountable for student achievement or lack thereof.

We're proposing to amend the Education Act to clearly state that school boards are responsible for promoting student outcomes specified in provincial interest regulations.

I thought maybe we would take a minute to look at the statement of purpose of the bill, which, in three categories, helps to clarify and give an overview or some parameters of what we're talking about in Bill 177.

First of all, the statement of purpose says, "A strong public education system is the foundation of a prosperous, caring and cohesive society." Yes, absolutely.

"The purpose of education is to provide students with the opportunity to realize their potential and develop into highly skilled, knowledgeable, caring citizens who contribute to their society." Students in the gallery, absolutely. Do you want that for yourselves? Do we want that for you? Yes.

Thirdly, "All partners in the education sector have a role to play in enhancing student achievement and well-being, closing gaps in student achievement and maintaining confidence in the province's publicly funded education system. We've looked at a variety of issues in the education system, and now we are focusing on improving student achievement.

1600

I'm going to go into just a brief history, which I think helps us to fast-forward to where we are today.

In 1998, there were changes made to school board governance in Ontario, but what wasn't clarified were the roles of boards and trustees. I've got to tell you, those were chaotic times in education. I was teaching English and science, and when I look back, I think of a quote from George Santayana, who said that if we don't remember the past and we don't learn from the past, we're condemned to repeat it. This is a situation where we have to learn from the past.

In a previous government, in 1998, I was a teacher during job action. It was a time of chaos and a lack of communication in the system. There were thousands of hours of lost instructional time. The tone in the schools was not a positive one, and unfortunately, parents spoke with their feet and private school enrolment increased by 50%. This is a fact, and it's a fact that we must never go back to those times.

The way to avoid that kind of chaos again is to continue to communicate and to continue to consult. We have this opportunity to continue to consult, to continue to restore public confidence that was lost during two previous governments, and we will do that with Bill 177, where we will define the role of the trustee, of the director, of the board governance. Of course, that's how you avert chaos: You communicate.

In October 2008, the McGuinty government assembled the governance review committee. It was a province-wide consultation with trustees, directors, parents and the public. In February 2009, the committee provided its first interim report, and in April the governance review committee gave its final report, which included 25 recommendations. In those recommendations, the committee recommended to clarify the duties and roles of school boards, chairs, trustees and directors of education, to provide tools to support effective governance, such as a code of conduct and audit committees, and to enhance capacity for trustees.

Look, we all need our roles defined. From my experience in a school, from supervision monitor, to teacher, to administrator, to superintendent, to support staff, to the director, we need to know what our roles are, so when we work together in a group, I know where my responsibilities begin and end and I know where yours pick up. That's how we continue to work in this symbiotic relationship.

I wanted to tell you a story, because schools really are about people, and I just want to share with you a quick story about a great person whom I had the opportunity to know. He taught me a lot about school board governance. Of course, this is Bill Gerth, who was the former director of education for the Waterloo Region District School Board. We lost Bill, tragically. But what Bill taught me at a time when this was not addressed was that school board governance is crucial to running a system and improving student achievement.

We're blessed in Waterloo to have a fabulous director. Linda Fabi has taken over for Bill, and Linda, I am proud to say, is not only our director; she is a member of the council of directors of education, and she's president of the Ontario Public Supervisory Officials' Association. I have a quote from Linda that's twofold. It refers to the statement of purpose of the bill as well as to the clarification of roles in the bill. Linda Fabi says, "Directors and supervisory officers across the province see the proposed governance legislation as a positive step forward in defining the purpose of public education and clarifying the roles and responsibilities of directors, trustees and boards.

"Our primary responsibility is to ensure that student learning and achievement are given top priority in Ontario, and my colleagues and I look forward to enhanced collaboration with boards of trustees and the Ministry of Education to make this happen on behalf of all students and their families."

Our government has a great deal of respect for Ontario's trustees and our directors of education. We know



they work hard every day to make publicly funded education work.

We also know that good governance by our trustees and directors of education is necessary to support the higher levels of student achievement. This is understood by all of those who will be expected to uphold this new approach, and I wanted to take a moment, for example, to quote Chris Spence, who is the director of education for Hamilton-Wentworth District School Board. Chris Spence says, "Greater clarity of roles for everyone in public education will be very helpful. I look forward to further analyzing the legislation and working with trustees and colleagues to strengthen the governance of public education. Our students will be the beneficiaries."

I wanted to go through several other issues, but I see that my time is rapidly running out. As a good teacher who wants to stay within the parameters of the lesson plan, I will bring this to a conclusion, but I need to make a couple more significant comments.

What we're proposing in this bill are the most substantial changes to Ontario's school board governance in a decade. There have been several major reports that have called for governance review to see if the structures in place that are operating are operating effectively. We have responded to those calls. We have agreed to examine how well Ontario's education system was being served through the assembly of the governance review committee. The committee found strengths, yes, but it also found areas of improvement.

This legislation is designed to address many of the committee's recommendations. At the same time, it demonstrates our government's high level of respect for trustees, boards and directors. We seek to clarify the mandate and duties of school boards so that they can meet the expectations of promoting student achievement and well-being, delivering effective, appropriate programs for students and ensuring that board resources are well managed.

We have worked with our education partners to rebuild positive relationships, which of course is a testament to those newly re-established trusts through the statements of support that we've received on this bill.

This government will continue to work with all of our education partners to build a better future for all Ontarians. We want to get it right. We will continue consultations. We will continue to communicate. We firmly believe that by strengthening board governance and clarifying roles of all board members, we will continue to build the best possible publicly funded education system in the world.

I might just go out on a limb here, but I believe that this government, the McGuinty government, is already there. We've created an incredible system in Ontario. I have lived the system. I have lived two previous governments. I have seen the job action and I have also lived, since 2003, in the schools. My children have seen the improvements. Our communities have seen the improvements. At the end of the day, I don't have any hesitation in saying, by gosh, I think we do have the best education system in the world right here in Ontario.

1610

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Ms. Lisa MacLeod:** It's a great pleasure to be here today to be able to speak to Bill 177, An Act to amend the Education Act with respect to student achievement, school board governance and certain other matters.

Obviously, I'm very excited to speak about educational issues now that my daughter has started JK, junior kindergarten, this year at Leslie Park Public School. I'm very excited that she's doing the daily thing in the morning and going to school, and, by gosh, today we found out all the school buses have been late. When I asked my husband why the school buses were late—this is very interesting. School buses in the Ottawa-Carleton District School Board are late because there's a DMV strike, and all of the new school bus drivers can't get their papers. So in the city of Ottawa, at the Ottawa-Carleton District School Board, the McGuinty Liberals have imported bus drivers from Toronto. Now, you know what they say in eastern Ontario: "When the city of Toronto needs to come down and fix things for us, we don't like it too much." Just following on the heels of my colleague from Kitchener-Conestoga's comments about the best system in the world, you've got a lot of room for improvement, and it will start with the school bus driver situation that we have in the city of Ottawa.

I'd be interested to find out how they're going to fix that problem, and I'm doing this for not only myself but for the other parents who have kids on the board. Even speaking with our daycare provider today—some of the kids go to another school in Nepean; they go to Manordale, and even those buses were a little bit off the schedule today.

I think what we ought to be doing here in this chamber is getting those folks who are trained bus drivers to be driving kids to school. That's what I think we ought to be doing, and if they would like to improve education, that would be a start.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Peter Kormos:** I enjoyed listening to the comments by the member for Kitchener-Conestoga, Ms. Pendergast. I suppose her mother did, too, and I suspect her mother has been watching for the last 30 minutes. We say hello to Ms. Pendergast's mother, as we have on previous occasions.

The problem is, as much as I enjoyed her comments, as she closed with a flash of partisan hyperbole—not inappropriate—she and I don't quite agree. As a matter of fact, we don't agree at all on a whole lot of things around this legislation. Now, Ms. Pendergast was doing good. She's a partisan member of the Legislature, and she's defending this legislation. I respect that.

In 30 minutes' time, we're going to hear from the New Democratic member, Paul Miller, from Hamilton East-Stoney Creek. Paul, in short order, just two years in this Legislature, has marked out some very strong turf for himself on behalf of the New Democrats. Paul Miller's



comments are ones that I'm eagerly awaiting in some 30 minutes' time, because I know that Paul Miller is not going to pull any punches. It's not going to be the Marquess of Queensberry rules. There's going to be a vigorous evisceration of this legislation when Mr. Miller takes the floor in 40 minutes' time—30 or so—after the Conservatives make their contribution.

I encourage people to listen to what Mr. Miller has to say. I encourage the Liberal members here to listen carefully to what Mr. Miller has to say, and I'd ask them to reflect on what Rosario Marchese had to say yesterday, the NDP's education critic from Trinity-Spadina—a former teacher and a former trustee for the Toronto board of education. I'm looking forward to the following comments.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? The member for—

**Mr. Mario Sergio:** York West.

**The Deputy Speaker (Mr. Bruce Crozier):**—York West. Thank you.

**Mr. Mario Sergio:** Yes, somewhere in Toronto, Mr. Speaker.

I'm delighted to spend the next one and half minutes speaking about Bill 177, and I have to compliment and congratulate the member from Kitchener-Conestoga for bringing this forward.

As she said, it has received a considerable, extensive consultation, going back to 2008—not only consultation in various parts of the province, but also written comments until 2009.

In her own words, we want to see more consultation, so when we are through, and even as the member from Welland has said, we hope that we hear from all the members and make this even better, so that when the regulations come forward, it will be completed and, indeed, we can say that we are delivering the best of the best for all our students and all our boards.

We are taking action on our report from 2008, so finally it's here. It is our time to dwell on this particular bill. I think every member of the House must agree that it's very important when we deal with our schools, the educators, the directors, the trustees, and the governance of those particular individuals. In the last while, we have seen considerable debate on the various roles and responsibilities of those very people, who deal with delivering the best for our kids.

I do hope that we will deliver in this House from all sides and continue to debate this particular issue, so that at the end, we will see those declarations embody all those recommendations that will make this piece of legislation something that all the members of the House can be proud of and that will deliver the best for our school kids.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Peter Shurman:** I listened with interest to my colleague from Kitchener-Conestoga citing in particular her experience as a teacher and, I believe, as a vice-principal. Experience is a great teacher, and we all have

some. I also listened to the comments of my colleague from Nepean-Carleton on the fact that her daughter has just entered school.

I have my experiences, a little bit longer in the tooth, as am I, because I have two—not children; my children are men, so they were educated many years ago here in the province of Ontario. Somehow or other, without blessing the ground that Minister Wynne walks on, they got through the education system, and they're well educated.

And somehow or other, many, many years ago, well over 50 years ago, I was in an education system for anglophones in the province of Quebec that by today's standards would be looked upon as Neanderthal. As a matter of fact, I'm Jewish, and I went to a Protestant school because that's the way it worked then, and somehow or other I got an education.

Having said that, let me refer to the bill, because the bill talks about changes that would put more power, in my view, in the hands of the ministry.

Very particularly, in section 4, it says:

"Section 11 of the act is amended by adding the following subsection....

"(2) The Lieutenant Governor in Council may make regulations governing the roles, responsibilities, powers and duties of boards, directors of education and board members, including chairs of boards."

That's a heck of a lot of power to vest in a ministry. So my belief is that when we listen to the member from Kitchener-Conestoga talk about her background in education, I believe that her support for the bill is more a function of the fact that she's a member of the Liberal caucus than a function of the fact that she used to be in the educational system of the province of Ontario.

Listen carefully to what's going on here. Watch carefully what's going on here. We're saying that school trustees should reflect the communities and you should elect them, and you get 15% to 25% voter turnout. Now what you're going to do is put even more power in the hands of the ministry.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Kitchener-Conestoga, you have two minutes to respond.

**Ms. Leeanna Pendergast:** Oh, lovely, Mr. Speaker. Thank you. I wanted to also thank the member from Nepean-Carleton for her comments; the member from Welland for his comments and of course for addressing my mother; the member from York West—thank you; and the member from Thornhill—I thank you too.

There's a theme here from all of the comments, and of course the theme is about children. It's about students. As the other members have said, yes, I'm an educator, and the prime focus, my vocation, my whole purpose in life is to make sure that students get an education to become contributing members of society, and that's exactly what this bill is doing. And we're putting forward further consultations.

Again, I may need to reiterate this for a member or two on the other side of the—well, over there. The bill says—



**Interjection:** Over there?

**Ms. Leeanna Pendergast:** Over there—that we are proposing to amend the Education Act to clearly state that the school board is responsible for promoting student outcomes specified in provincial interest regulations; ensuring the effective stewardship of the board's resources; delivering effective and appropriate education programs to its pupils; promoting the well-being of the board's pupils; and encouraging pupils to pursue their educational goals. Anyone who can take issue with that needs to go back to the drawing board and take a good look—

**Mr. Yasir Naqvi:** Or the classroom.

**Ms. Leeanna Pendergast:** —or the classroom, yes—needs to go back to the classroom and take a good look at their priorities.

We need absolutely—and again, to address the comments of the member from Nepean–Carleton, I appreciate that you're a parent, and congratulations for having a child in school. But do you know what? We need to believe in our system, in our people, in our schools and in our students, because if we don't have the utmost faith in them, no one will.

1620

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? The member for York–Simcoe.

**Mrs. Julia Munro:** I'm very pleased to be able to join the debate today on Bill 177. I'm going to divide my remarks between those that I have frankly collected on my own, in my own experience, and in the second part I'm going to look at what others have to say, because I think one of the important roles of an MPP is to collect those individuals in your own riding or the broader community who have experience and are able to comment. That's how I want to divide my time.

My first comments, then—my own—are that whenever we're looking at a piece of legislation that has to do with education, it's my belief that we should begin with the interests of the child. Everything that falls out of that in terms of structure, in terms of administration, in terms of the way in which money is spent—all of that—has to come back to that central focus. As I will explain in a few moments, I think there are some priorities here that seem to overtake the interest of the child.

I was very interested in the very beginning of this bill: "The purpose of education is to provide students with the opportunity to realize their potential and develop into highly skilled, knowledgeable, caring citizens who contribute to their society." On the surface it certainly seems like a most laudable goal. But as I read it and thought about some of the individuals I had the privilege to teach over the years, there was certainly a great variety of students who come to you. And the importance, I think, was respecting what their abilities were. When I see "develop into highly skilled," it seems to me there's a value judgment that we're implying in our purpose.

When I considered, as I mentioned a moment ago, that the paramount concern of any legislation should be the question of the child, I began to think about those I have

seen who would struggle with the most basic circumstances, and if I were writing this, I would emphasize the question of realizing their potential. So right from the very beginning of this bill, I would argue that the interests of the child, in some parts of this bill, such as the purpose, have actually been reduced. The importance of the child has been reduced to what kind of people we want to turn out of the education system.

When I look at the bill overall, I also think there are, again, some indicators we should be conscious of in this regard. Further on, in section 28, the bill talks about professional activity days and says, "establish policies and guidelines respecting criteria and topics for the professional activity days that are required by regulation and require boards to comply with the policies and guidelines." I think back in my own personal experience to the kind of enthusiasm that volunteers had in planning particular events for professional activity days. I think we were able to judge what was appropriate for our school community and certainly were able to call in people from elsewhere, actually from the Ministry of Education itself and from the academic community. But we certainly weren't under those kinds of restrictions of somebody else determining policies and guidelines. It seems to me that we're leaving out the people who are there, in the classroom, able to make those kinds of decisions and recommendations.

Another, further demonstration of this comes later in the bill where it talks about, "The Lieutenant Governor in Council may make regulations requiring boards to establish parent involvement committees...." Obviously, the language has changed from when we talked about parent councils, but it also goes on to talk about "providing for the composition, mandate and functions." Again, I think those are things that would be better looked at locally, and being able to provide a connection that matters to the people and the community—that is, the parents and the broader community for the benefit of children.

That leads me to another area of my personal concerns about the bill, and that is the question of local autonomy. I think all of us recognize the fact that we're well past the days of a few neighbours who got together, built a school and provided for the children of their immediate community, but part of that is the tradition of elected officials. I think this bill, described by trustees, that I will get to later, as "punitive," would seem to suggest to me that there is a fundamental lack of respect for the autonomy of those elected officials. We talk as elected officials about accountability, and we know we must go to our electorate at election time, and that we are judged by what we have done by those very people who have put us into office. That's the same thing that we have in this process. So I'm not sure, when I look at some of the parts of this bill and certainly the comments made by trustees, that there is the same kind of respect for an elected official that I think the government should demonstrate.

For instance, later in the bill there is a section on duties of board members, and clause (e), in section 218.1, says, "Refrain from interfering in the day to day man-



agement of the board by its officers and staff.” I find it amazing that this would be viewed as necessary in a piece of legislation such as this contemplates because of the fact that, very clearly, for generations there has been an understanding of the role of the elected official vis-à-vis the administration. So I’m quite surprised that it is actually there. At the same time, it says “Consult with parents, students and supporters of the board,” in this case on its multi-year plans. So it immediately raises in my mind somewhat of a conflict, that they are charged, according to this legislation, with the act of consulting, but not in terms of getting involved in day to day. Well, there is an actual connection. When you consult with somebody, people expect that you’re then going to take the information from that consultation and put it into some kind of action plan, or certainly take it further than simply having a meeting to discuss things about which you are then unable to act. So I think there’s an element in this bill that neglects the tradition of local autonomy, neglects the role and the accountability that are inherent in being an elected official.

1630

I also want to just speak briefly, in overall general terms, about this bill, because when you look at certain things such as the ones I’ve just mentioned—and we could go further: “A member of a board shall ... attend and participate in meetings of the board, including meetings of board committees of which he or she is a member”; the consultation with parents; and where it says, “Bring concerns of parents, students, and supporters of the board to the attention of the board...” All of these kinds of things, then, the questions of definitions, the questions of the cost and the time of the administration of this bill, are, I think, things that people should be aware of in what is proposed here in this bill, because I see unfolding in this bill a significant length of time to lead into the development of policies that are contemplated by this piece of legislation.

I’m going to turn now to some of the comments that others have made that I think are important to include. Certainly, one of them would be the commonly held belief that this legislation comes as a result of the Toronto experience with the Catholic school board and the fact that in the last few months, the early part of last year, there were many articles and much attention given to the excesses in spending. As a consequence, Mr. Norbert Hartmann was asked to investigate. It again seems to be that it’s in response to a particular event. Mr. Hartmann did provide the government with some recommendations. He concluded that the “cost of governance at the Toronto Catholic District School Board is among the highest in the province,” and that costs had grown substantially since 2003, which, of course, happens to coincide with the election of the current government. But in here was the genesis, if you like, for the information for the bill that we are looking at at this point. Mr. Hartmann’s report specifically stated:

“The pattern of expenses that trustees claim and the board services available indicate that trustees:

“—provide themselves benefits and services that are not permitted by the Education Act;

“—incur expenses unrelated to their responsibilities as board members; and

“—exercise powers to allocate funds that are not provided in legislation.”

These appear to indicate to me that it is more a question of actually dealing with the legislation that existed as opposed to finding more legislation, as we’re looking at in today’s bill. He made 20 recommendations, and it would seem to me that the spirit of those have to do more with the specific than the general. I think that this is something that is recognized by some of those who have indicated to me their concerns about this bill; that is, trustees. I think it’s important to recognize, as with anything, you cannot in this case paint all trustees throughout the province with the same brush.

I think that the concern expressed to both me as a member of the opposition and our critic is that there are trustees who view this then as something quite threatening. One said, “If this bill passes, I’m afraid my job as a trustee becomes meaningless.” Another said, “It’s dangerous. It says this is going to be a fundamental, substantial shift in the relationship between the ministry and school boards in the province.” So clearly there is concern. Others have said, “This is clearly going to make us servants of the province.” That’s what happened to hospital trustees in the province of Ontario.

The Ontario Public School Boards’ Association has also made some comments. In their discussion paper, they have referred to this piece of proposed legislation as “punitive” and some of the language as “particularly offensive.”

So the government, in the quotes that I provided from the bill, has also provided more regulations and the setting of standards and enforcement, and I think it’s a very important departure. They’re going to have to be responsible for student achievement, but they don’t know what the guidelines are or how any of that is going to be measured. The Ontario Public School Boards’ Association has also indicated that the ministry, of course, did the consultation during the summer, when, firstly, the schools are closed and there are no school board meetings scheduled, so that board members had very little opportunity to look at the content of the consultation and very little opportunity—to the responsibilities.

The Ontario Public School Boards’ Association points out that “the consultation paper addresses in detail what would be required of school boards and has little to say about the corresponding responsibilities of the Ministry of Education or the government.”

A local trustee who spoke to me about this said the following: “My main concern is that these regulations be worded to ensure that there will be supportive measures put in place when need arises rather than punitive ones.” She uses the example in her own school district, which is the York Region District School Board, of how they, as a board, have looked after the low-performing schools and the way in which they have been able to look at those



very specifically geographically and have been able to respond to local needs.

She continues, "My other concern is around the micromanaging, one-size-fits-all approach. As a board, we have been able to do some great things for students with some creative thinking. Any regulations that could be used to stifle that flexibility/creativity would not be in the best interests of our students. This is an area where I think our board could make a very good case."

I think that goes back to a point I made at the very beginning, the importance of recognizing the local voice, the local autonomy, and the importance of putting the child at the centre of the discussion.

A former trustee who contacted me referred to concern about the boards taking more actions against trustees out of fear of what more the ministry might do, effectively silencing minority voices. The bill would allow a board majority to keep an elected trustee out of consecutive board meetings or cut further honoraria.

The biggest threat, of course, in her mind from the ministry is total board takeover. Thus, my main concern is that with these additional bullying-type threats, the minority voice will not be heard at school board tables and local democracy will be further eroded. Furthermore, the consultations held this summer definitely speak to the EQAO as a significant benchmark, but we're not looking at the way in which the boards would respond to that. It simply says that they have that responsibility.

I think there is much that this government could do to respond to some of the concerns that have been voiced by those trustees who certainly have very deep concerns. I think that the questions, then, of local autonomy, respect for the elected trustee and the additional burden of the implementation of this bill as it's contemplated would certainly create a great deal of time and effort and consultation, and without clear outcomes. We still are going to be looking at the importance of the child in any legislation.

1640

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments. The member for Northumberland-Quinte West.

**Mr. Lou Rinaldi:** It's a real opportunity for me to speak about this. I have a real close relationship with the education system. I have a daughter who's a teacher. I have a good part of my nine grandkids going to school. And I try to spend a lot of time at schools when I'm not here, because the saying is—and the saying is true—that kids are our future.

So whenever we can take the opportunity to enhance education, and part of the enhancement of education is about making sure that the money we spend in education—and that the people we empower, whether it's trustees, principals, school board directors, school boards, use that money wisely. So to the criticism from some of the members in opposition—"It's not all there and we don't see this"—the fact is that we're embarking on a process. There was an enormous amount of consultation, and part of the process of debating it here, and

going to committee, is to make those refinements that we hope will make it even better.

I think we need to applaud the minister for taking some time because we want to hear from all those stakeholders and empower some of the trustees, some of the principals, some of the folks in education system to be part of that process. It wasn't top-down-driven; it was bottom-up-driven.

We're here with this legislation today, and the debate is good. I think we can all agree that that's what we're here for. So I would encourage the members from the opposition, there are things to be improved, and I think we're going to get there.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments.

**Mr. John O'Toole:** I listened attentively to the member from York-Simcoe because she brings a lot to the table and to the debate with respect to her personal background, and her comments started out most appropriately talking about the purpose of education.

Like many here—I have five children, all of whom I'm proud of. All have at least one degree; maybe in many cases there's two degrees. In fact, one is a high school teacher in England. I think a public education serves a very useful purpose for people to achieve their highest and best potential. So in that theme, in that sentiment, I think we're supportive. But when I look at bills, often they are—how would you say?—infused with some meanness. And I think the meanness here is—it's not me saying this, to keep it on a positive note here. This is an article from the Sarnia Observer.

It says, "Trustees Miffed by Bill." It goes on to say, "Local school trustees are bristling over proposed legislation that would allow the Ontario government to assume" complete "control of boards whose students struggle academically." We have seen that happen here in Toronto when they're spending money on trips and various things like that. There needs to be accountability, but at the same time, if I look at it, it gives full, complete, absolute overarching control to the Minister of Education. This bill is not a slick relationship. In fact, if you looked at several of the reports—the Rozanski report is just one of them—there have been several reports that have been done—the Attorney General. As well, Assistant Deputy Minister Norbert Hartmann's report is very instructive in terms of how they have a problem with education and them not complying. There are portions of this bill that direct the directors of education what to do or else.

I'd like to think that it's a very important bill, but you've—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments.

**Mr. Peter Kormos:** I listened attentively to Ms. Munro, the member for York-Simcoe, as well. Yes, she brings a great deal to this debate because of her experience in the educational system.

Isn't it naive for us to somehow try to pretend that the system is working at its full potential? Of course it's not.



The problem is that this bill won't achieve that end. You can state these goals; you can have a mission statement; you can put signs up with those little clichés—you know, the Reader's Digest sort of things that you read. But all of that language—all of it—isn't going to improve the educational system.

Controlling board trustees and creating a system where they can be silenced, where they can be sent to Coventry, doesn't improve education, and it certainly doesn't enhance the role of trustee, a publicly elected position. So I commend Ms. Munro for her valuable contribution to this debate.

I now look forward, because in about five minutes' time, Paul Miller, the fire-breathing New Democrat from Hamilton East-Stoney Creek, is going to be addressing Bill 177. As I said earlier, he doesn't pull any punches. He delivers them straight to the solar plexus. We're going to see and listen to an exciting, passionate, certainly energetic, incredibly enthusiastic and effective critique of Bill 177. Folks, please stay tuned for another four or five minutes; we'll have Paul Miller for you.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Hon. Donna H. Cansfield:** I'm more than delighted to be able to stand up to speak to this bill. After all, I too was a school trustee for over 15 years.

**Hon. John Gerretsen:** And a good one too.

**Hon. Donna H. Cansfield:** Thank you very much.

I think what is really important to recognize is that if you look at the Education Act—it's a very, very thick book—it in fact does not define the role of school trustee other than its financial obligation. It's filled with regulations around how the schools operate. So the idea of providing governance and direction is long overdue in this system and in fact goes back many years. The member from York-Simcoe will remember that the previous government took over supervision of the Toronto District School Board because it felt it lacked governance. I find it fascinating now that governance is not an issue they intend to put any credibility toward.

The whole idea around having a school system is to ensure student achievement and to do that in a way that provides the competency, the requirement around financial credibility for the school trustees, and to ensure that the system operates in an efficient and effective manner. That's part of what this bill will do. It's designed to do that, it will do that and it's a great step forward, working with the people who themselves have been involved in the system for many years.

The public consultation was extensive. The comments were taken from a variety of different sources and incorporated into the thinking. There is always more time for consultation as we move forward, and it's an opportunity to refocus the education system back on the needs of the child, the student. That's what an education system is all about. In fact, without the student there is no education system. You need the student and you need competency with which to run it.

**The Deputy Speaker (Mr. Bruce Crozier):** Member for York-Simcoe, you have two minutes to respond.

**Mrs. Julia Munro:** I want to thank the members from Northumberland-Quinte West, Durham and Welland and the Minister of Natural Resources for their comments. Actually, as I listened to each of them, I thought that all of them had something most important to add that echoed some of the comments I had made as well.

The questions of consultation and accountability are ones that I think we all agree on. I certainly agree with the member from Welland that there's always room to improve. I would certainly agree in principle on the question of governance that the minister raised. I think it's important, though, to demonstrate to the House that obviously there are still concerns that are out there. The process of second reading is to be able to demonstrate that there are those concerns that the government needs to address.

1650

With that, I would just close by also saying that we've now heard the second trailer for the upcoming speech of the member from Hamilton East-Stoney Creek.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Paul Miller:** I'd just like to first of all congratulate the member from Kitchener-Conestoga on her new appointment—and secondly, to my colleague Mr. Kormos for those kind words. I hope the show is as good as the preview.

Getting to Bill 177: Many of the guidelines contained in this bill will provide direction for some boards. The government wants to appear to be responding to the spending irregularities which occurred at the Toronto Catholic District School Board. However, the vast majority of school boards have a history of responsible behaviour, and much of what is in this bill is already happening.

The government is using events at the Toronto school board as an excuse to increase its own power at the expense of boards and parents. What the government is really responding to is the refusal of the Toronto Catholic school board to cut programs for children in order to balance the budget, a refusal which demonstrated the inadequacy of the education funding model and resulted in the board being taken over by a government supervisor, in the same way that the Dufferin-Peel Catholic school board was taken over.

The concern is the degree to which the ministry will be calling all the shots for school boards and parents if Bill 177 becomes law. Will there be any room for dissent from elected trustees, and will they be able to effectively represent their constituency and the parents of the children in their system?

The government wants to appear strong and in charge, but this legislation will result in school boards having very little real decision-making power. School board trustees make important and sometimes difficult decisions on behalf of the parents and supporters who elect them. Trustees have always been an essential part of the education of our children. There has always been a balance between the authority of the Ministry of Edu-



cation and the responsibilities of trustees. Bill 177 is a threat to that balance and to the rights of parents. Bill 177 will allow the provincial government to make regulations governing the roles, responsibilities, powers and duties of boards, directors of education and board members, including chairs of boards. What will be left for trustees to do on behalf of the parents who elected them?

Concerned parents all over the province have had views on the adequacy of resources, transportation, school closures, lack of special education programming, school fundraising, corporate donations, the curriculum, credit integrity, declining enrolment, school information finder websites etc. They expect their elected trustees to respond to those concerns and take them to the ministry. This legislation abolishes this historical relationship by defining trustees as agents of the government. If enacted, it will make it impossible for trustees to effectively represent parents.

A clear example of the government's lack of respect for trustees is that Bill 177 demands that each school board effectively use the resources entrusted to it. This implies that trustees have not been using resources wisely and that the resources they have been receiving have been adequate. In fact, for years trustees have been struggling to stretch inadequate education funding to meet the needs of their students, and this is the thanks they get.

What this bill is really saying to boards is, "Use the funding we give you, and don't you dare point out that it is not enough to meet the needs of your students."

This bill claims to mandate student success, but for this government, closing gaps in student achievement means orchestrating and fabricating higher EQAO scores at the expense of all other learning opportunities. What about the growing list of parents who feel that success should be defined by more than test scores? What about parents who don't want to follow the model of the American education system?

The McGuinty government has been reducing the role of school boards. It has been apparent for some time that the government's primary role for trustees has been for them to take the blame for things like school closures, lack of special education services and poor transportation funding. If there was ever any doubt about this, Bill 177 removes it.

The parents' elected representatives are being muzzled. How does this bill help parents? If trustees lose their power, parents lose their voice. Bill 177 is sending a clear message to school boards: Do what you're told or else.

Excerpts from Bill 177 and comments:

Bill 177 calls for every school board to:

"(a) promote student outcomes specified in regulations made under section 11.1;

"(b) ensure effective stewardship of the board's resources;

"(c) deliver effective and appropriate education programs to its pupils."

Will there also be an amendment to the Education Act to mandate that the Ministry of Education provide the

resources required to promote student achievement and well-being and deliver effective and appropriate education programs for students?

Bill 177 says that boards must "encourage pupils to pursue their educational goals" and "develop multi-year plans aimed at achieving the goals referred to in clauses (a) to (c)."

Will the ministry commit to providing full, predictable and transparent long-term funding instead of the "rob Peter to pay Paul" that we have now?

Bill 177 requires that trustees "monitor the performance of the board's director of education, or the supervisory officer acting as the board's director of education, in meeting his or her obligations under the plans referred to in clause (e)" and "annually review the plans referred to in clause (e) with the board's director of education or the supervisory officer acting as the board's director of education."

Will the ministry finally agree to fulfill your election promise and itself report annually by setting up a long-overdue standing committee on education financing so that we might finally have some transparency in school funding?

Trustees are required under Bill 177 to "consult with parents, students and supporters of the board on the board's multi-year plans under clause 169.1(1)(e)" and "bring concerns of parents, students and supporters of the board to the attention of the board."

Will the ministry agree to respond to the interests of the local community, particularly when threatened school closures require an accommodations and review process which many parents claim ignores their wishes?

Bill 177 will require that "Every district school board shall establish an audit committee."

Once again, when will the ministry subject itself to a standing committee to assess whether the funding model is providing adequate resources to allow trustees to do what is being asked of them? We would like to see the Ministry of Education subject to the same oversight that is being recommended for school boards and trustees. Practise what you preach.

The role of trustees: If Bill 177 passes, the government's wishes will be supreme, but trustees are also elected representatives. What if the people who elected them don't share the government's view about what is best for their children? Concerned parents all over this province have views on the adequacy of resources, transportation, school closures, lack of special education programming, school fundraising, corporate donations, the curriculum, credit integrity, declining enrolment, school information finder websites etc. They expect their elected trustees to respond to those concerns and to take them to the ministry.

This legislation is redefining the role of trustees as agents of the government. The government is clearly taking control of the roles, responsibilities, powers and duties of school boards. This bill will be the base of that control, which would be exercised by regulation, and the message to boards is clear: Do what you're told, or else.



The following is a list of the most serious challenges facing public education, followed by reasons why Bill 177 will not solve and will actually hinder efforts to find solutions.

**Parent accountability:** The bill requires boards to establish parent involvement committees but retains control over the regulations which will determine the composition, mandate and functions of those committees—not much room for the parents, Mr. Speaker.

Trustees are required to bring the concerns of parents, students and supporters to the board's attention. What's missing is a responsibility to bring those concerns to the Ministry of Education, particularly when those concerns conflict with political expediency for the ministry and the government at the time.

1700

**Funding:** Since its inception during the Mike Harris years, every independent analysis has come to the conclusion that Ontario's education funding model is inadequate to meet the needs of Ontario students. School boards are being asked to do, and the McGuinty government is taking credit for, things that school boards are not given the resources to do properly. We once again have a rob-Peter-to-pay-Paul approach to education in Ontario that forces school boards to run some programs at the expense of others, while the government claims to be doing both. It's not happening.

Parents have challenged this veneer that the government has carefully constructed, and in many cases they have been supported by the school boards and trustees they elected in holding the provincial government accountable. The legislation and the regulations that will ensue will effectively muzzle school boards and elected trustees. If parents can't count on their own elected trustees to represent them when questioning or challenging government education policies and practices, whom can they count on? Is this a dictatorship that they're setting up here?

**Special education:** According to People for Education, there are approximately 36,000 elementary students and 4,800 secondary students waiting for special education support province-wide. In one third of elementary schools, not all identified students are receiving the support that was recommended for them. The current delivery system has deliberately and dramatically reduced accountability. Parents have no way to guarantee that the ministry is providing adequate funding and no way to ensure that the school board is allocating the funding to special education programs. The only accountability in the system falls on the shoulders of the regular classroom teacher, who is supposed to meet the needs of the special education child and make all the program modifications with little or no support. Increasingly, parents are questioning the government's approach to special education. They should be able to count on their elected trustees to demand answers from the government. This bill will make it very difficult for trustees to do that.

**Fundraising and privatization:** Ontario parents are raising a reported \$600 million to support their schools,

and the real amount is probably much higher. We are concerned about equity in our public education system and the strings that come with private funds; strings that are attached to our children. When some schools can raise hundreds of thousands of dollars more than others and some schools can cut deals with Future Shop while others cannot, our public education system is definitely threatened. All schools must be fully and properly funded so that we don't have to sell our children to the highest bidder. The government encourages the privatization of our schools and the selling of our students because it takes the pressure off the government and makes up for inadequate funding, but only in selected locations. If you oppose the slide toward two-tier education or if your children aren't in a school that can raise or attract tens or hundreds of thousands of dollars, too bad, so sad, and if this bill passes, there won't be much your trustee can do to help you.

**School information finder website:** Just as the government view of performance seems to be limited to test scores, their view of what they think parents should know about schools is limited to simplistic statistical labels, if the school information finder website is any indication. Why would the government provide information that would facilitate the ranking of schools based on the number of lower-income households or the university education of their parents—unbelievable—the number of special education students, the number of children whose first language is not English or the number of recent immigrants? Why would parents want to know that kind of information? I don't know. Explain it.

If the government really wanted to provide information that would be useful to parents, they could include information like all the class sizes, including grades 4 to 8; the number of full-time staff; the number of special education teachers; the number of ESL teachers; does the school have a full-time teacher-librarian; does the school have a qualified physical education instructor; does the school have music, art or dance programs; does the school have a computer lab? I don't see that on the website. Is there a daycare on the site? Very important. Does it provide half-day or after-school programs? I don't see that on the website. Does the school have a transportation arrangement with the local daycares? Is there a lunch program at the school? What are the school bus schedules? Will my school have a full-day kindergarten program? Is there a list of opportunities for working parents to access the school outside of the school day?

Every major stakeholder group in this province, including the government's own partnership table, is opposed to this detestable site, but it's still up and running.

Parents need trustees who are unfettered to bring this issue to the ministry, not trustees who are going to be redefined by Bill 177 as servants of the ministry.

**Declining enrolment:** Closing schools offers a tempting, unimaginative, short-term approach to declining enrolment which will provide immediate limited cost



savings and nothing more. The spaces in our schools could be used for community centres, parenting programs, child care, senior services, adult ESL courses, public libraries and even public health centres. The spaces in our schools should not be viewed as a Ministry of Education problem, but as an opportunity for other ministries to provide much-needed services to our communities.

Similarly, the government cannot shift the responsibility for making this happen on to the school boards. The government's recent working group on declining enrolment encouraged school boards to "solicit expressions of interest"—solicit expressions of interest? Wow. That's not too great, I don't think—"from prospective community partners." Doesn't the ministry know who the partners are in the community? They've got to solicit them? They should know that already. These communities have been around for hundreds of years. That's not good enough, what they're doing.

The government should be actively coordinating the utilization of available space by a number of ministries to create the community hubs that are required. The result would be that communities could get valuable services, and fewer schools would actually have to close. We could utilize those good buildings. Communities around the province do not want to see the closing of their schools as the only response to declining enrolment. Without strong representation from local trustees, schools will close because it will provide some short-term revenue and, again, take the pressure off inadequate funding formulas.

This bill would create a real dilemma for trustees. Do they represent the supporters who elected them, or are the masters of the Ministry of Education controlling them?

**Student achievement:** Directors of education will be required by this bill to ensure that "All partners in the education sector have a role to play in enhancing student achievement and well-being, closing gaps in student achievement and maintaining confidence in the province's publicly funded education system."

**Mr. Peter Kormos:** On a point of order, Mr. Speaker: Do we have a quorum?

**The Deputy Speaker (Mr. Bruce Crozier):** The member from Stoney Creek, take your seat. The member for Welland has a point of order.

**Mr. Peter Kormos:** Do we have a quorum, Speaker?

**The Deputy Speaker (Mr. Bruce Crozier):** Is a quorum present?

**The Clerk-at-the-Table (Ms. Tonia Grannum):** A quorum is not present.

*The Deputy Speaker ordered the bells rung.*

**The Clerk-at-the-Table (Ms. Tonia Grannum):** A quorum is now present, Speaker.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Hamilton East-Stoney Creek.

**Mr. Paul Miller:** Thank you, Mr. Speaker. I don't have much time left, but I'll just skim over some of the things that are here. Student achievement is another

category which I won't be able to get to today. General comments I can get to.

We believe that trustees need direction regarding spending and expenses, and we believe that they will welcome it. We congratulate the Auditor General for an excellent report, and school boards have already developed policies to increase accountability.

We are concerned that neither the report of the governance review committee nor Bill 177 fully acknowledges the duties of trustees as elected representatives. The report makes them sound like ministry employees. What about their duties to parents who elected them? Do trustees have the right to represent the communities in which they are elected in the face of inadequate government funding?

Boards in Toronto and Dufferin-Peel have been taken over because they refused to cut programs to their students. Bless them.

Trustees need and welcome guidance in fiscal matters, but they are not part of a master-servant relationship. Any legislation must leave boards free to ask questions for the voters who elected them—many of the same voters who elected us here.

How many children will be denied special education services due to staff cuts? How many new Canadians will never get the support they require due to the lack of ESL classes?

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How many children will continue to sit in unrepaired, unhealthy and unsafe classrooms because of deferred maintenance? How many parents will have to deal with an answering machine, when they call their children's school, due to cuts in support staff?

Whatever fiscal standards this bill sets for trustees, we hope that the Ministry of Education will adopt the same standards of accountability and transparency for itself.

If the current scope for local decision-making is inadequate, why introduce a bill that will limit it even further?

I could go on for another hour, but I really believe I touched on some important points here and I hope they didn't fall on deaf ears. I hope we can all work together to make our school system a very good place to be, because I think Ontario has the ability to give our students the best education in the world.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Hon. John Wilkinson:** I'm looking forward to entering into the debate. I'd say to my friend from Hamilton East-Stoney Creek: You know, there are many people who support this bill, not just on this side of House but people in the community who know something about education.

I want to quote Dave Cooke, who was the former NDP Ontario Minister of Education and former co-chair of the Education Improvement Commission: "I am pleased to see that this legislation clarifies the role of school boards in terms of holding directors of education accountable for strategic plans."



What does Annie Kidder, executive director for People for Education, say? "It's great to see the province move quickly on the recommendations from the report on school board governance. This legislation will allow the province and school boards to proceed with plans to clarify the roles of directors, school board chairs and trustees. These improvements will help school boards be more effective and it will improve public confidence in education."

What does Paula Peroni, president of the Ontario Catholic School Trustees' Association, and who was a member of the governance review committee, say? She says that her association "is pleased to see that this new legislation affirms the importance of the role of publicly elected trustees. It places new emphasis on student achievement and acknowledges the role that all partners play in enhancing student achievement outcomes."

Chris Spence is the director of education—where? Oh, in the Hamilton-Wentworth District School Board. What does he say? "Greater clarity of roles for everyone in public education will be very helpful"—

**Mr. Paul Miller:** —Toronto.

**Hon. John Wilkinson:** Well, Hamilton always provides great solutions to Toronto. I'm sure you'd agree with me.

"I look forward to further analyzing the legislation and working with trustees and colleagues to strengthen the governance of public education. Our students will be the beneficiaries."

Bill 177 is all about focusing everyone toward student achievement. Surely we can all agree, and the member doesn't have to contort himself into a pretzel to get behind this bill. This is what we're debating today, and I'm sure, on reflection, they will vote for this. I'd be shocked if they didn't.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John O'Toole:** Again, the member from Hamilton East-Stoney Creek spent considerable time—and I feel his research was commendable—outlining some of the apparent weaknesses of the legislation.

But he did offer the dilemma that we're offered here: I don't think there's anyone who is opposed to public education. In fact, they mentioned the great work done by Dave Cooke when he was implementing the Royal Commission on Learning. He implemented, I should say, the curriculum. Dave Cooke, when they were the government, implemented the curriculum. He invented the college. He said, in the Royal Commission on Learning, that the structure of the College of Teachers should be a majority of non-teaching. He was a brave and courageous leader in education.

But I looked further back and, God rest his soul, John Sweeney, who was an educator himself, from London and a Liberal member, did the Sweeney commission. The Sweeney commission was well lauded. In fact, he cut the number of school boards in half. So there has been a lot of work done by all parties to make education more affordable, more accessible and more accountable.

All the money in those glamorous, glittery offices should be stripped away and it should go to the students. When we have children with learning problems—the money there. When I saw the Toronto school board spending money on trips and conventions and stuff like that, and there were children who weren't getting special education—these are reasons the government should be moving forward with this bill, and they are, swiftly and sternly. They're actually—I quoted an article earlier—stripping away most of the function of the school board, basically, to the extent that if you read the bill and the purpose clause, you're going to see that "The Lieutenant Governor in Council may make regulations governing the roles, responsibilities, powers and duties of boards, directors of education and board members, including chairs of boards."

Minister Wynne has taken complete control of education. It's shameful. The relationship of teaching —

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you.

Questions and comments?

**Mr. Peter Kormos:** It's just this person's opinion, but I think Paul Miller, the member for Hamilton East-Stoney Creek, hit the ball out of the park. He did a stunningly effective job of displaying the shortcomings of this legislation and focusing on what the real issues are, and that is adequate resourcing of our public education system here in the province of Ontario.

I don't know about you, Speaker, but I go back home, down to Welland and Wainfleet and Port Colborne and Thorold and South St. Catharines. From time to time, I venture into Jim Bradley's riding in the larger part of St. Catharines. I've got parents coming to me all the time, and a whole lot of teachers—elementary school teachers, high school teachers—concerned, really concerned, about the failure of this government to rebuild education here in Ontario: concerns about specialized teaching resources and assistance for those teachers; concerns about the kids who need some special supports in the classroom—a real problem, a real problem.

Because we have integrated schools now, as we should—they've been proven a great success. It's amazing to go to school and see a kid with some special needs and how other kids will support that kid and bond with him or her and develop friendships. It's an incredibly healthy thing to see. But these same schools and their school boards don't have the funding to allow them, to permit them to hire adequate numbers of support staff to help teachers who are working with kids with some special needs. The very fundamental issue of things like music teachers and librarians is a crisis across the province. I'm sure it can't just be Niagara. And these school boards have become as frugal as any, but for a couple of exceptions, and I'm going to have great fun talking about those exceptions. But these school boards have tended to be as frugal as possibly can be. I appreciate Mr. Miller's comments.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments.



**Hon. Donna H. Cansfield:** I'm more than pleased to be able to respond to some of the comments that were made.

If you go back and do a little history, there is a very large Pepsi logo on a school floor in an NDP-dominated riding—interesting.

Having said that, the College of Teachers, teacher evaluations and the reduction of school boards, instituted by the NDP government, actually permitted a teacher to come and chain himself to a tree in Dave Cooke's office. And then of course it was all instituted by the Harris government, which then in turn ended up with the largest labour disruption in this province. So I really don't think that either of these two gentlemen have the history to be able to go back and say anything substantive about school board governance and trustees and the issues around them.

It's fascinating when you look—we're looking at improving student evaluation and student achievement. Again, it's all about students. It's about how do we provide the best education for students. And every time you go towards a governance structure that actually again puts students at the centre of what we're doing, you're going to have a better system. Interestingly enough, trustees themselves have been asking for this for years. They want and they do know and understand the needs of the children, and the dollars that are required to be able to move forward to provide for those children.

*Interjection.*

**Hon. Donna H. Cansfield:** So, in fact, you need a history lesson. It's a little bit on the sad side that you don't take a good look at what happened. You cut funding.

**Mr. Paul Miller:** That's pathetic.

**Speaker of the House:** Member for Hamilton East-Stoney Creek.

**Hon. Donna H. Cansfield:** There's never been more funding put into this education system than there has been in the last five years.

**Hon. James J. Bradley:** I remember the social contract.

**Hon. Donna H. Cansfield:** I remember the social contract. I remember the money that the unions spent on arbitration issues. Those dollars now go into the classroom and not into arbitration. It is unnecessary.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Hamilton East-Stoney Creek, you have up to two minutes to respond.

**Mr. Paul Miller:** I would like to thank the member from Durham for his kind words. Once again, my friends on the opposite side of the House have a difference of opinion, and of course they even got in some comments about pretzels and Pepsi; I don't know what that was all about.

But anyway, it was typical of their response, because when the government's under attack and we bring good points forward, they scramble and they come up with excuses. The member even said that I probably don't have any experience because she is so much older than

me and she's been around longer. That's really pathetic. That's really pathetic.

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**Hon. Donna H. Cansfield:** On a point of order, Mr. Speaker: I actually think that the member from Hamilton is being quite sexist. The fact that he refers to my age is irrelevant in this House, and I would like an apology.

**The Deputy Speaker (Mr. Bruce Crozier):** I don't know that it's a point of order, but I will give everyone the opportunity to say what they wish.

**Mr. Paul Miller:** Actually, Mr. Speaker, if the member was offended, I apologize. However, I'd like to bring to her attention that there are other people of her age in this House.

**The Deputy Speaker (Mr. Bruce Crozier):** I'm going to give the member from Hamilton East-Stoney Creek some advice: I wouldn't go there. You have 43 seconds left.

**Mr. Paul Miller:** Anyway—I won't go there. But you know what? It's really bad when you've got to dig up that kind of stuff.

I really find it amusing. When you get good points and you try to bring them forward, and people get off the topic and try to attack people personally, it's pretty bad. I'm sorry these things happen, Speaker, but you know what? In all fairness, what we all want in this House, I'm sure, is a good education for our kids and our grandkids. That's what we want. Regardless of the little comments and the little feedback here and there, overall I think most people in this House want what's best—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Further debate?

**Mr. Rick Johnson:** I'm pleased to rise today to speak to Bill 177.

Just to give you a little bit of background into this, we know that a strong, publicly funded education system is the foundation of a prosperous, caring and cohesive society. The purpose of education is to provide students with the opportunity to realize their potential and develop into highly skilled, knowledgeable, caring citizens who contribute to their society.

All partners in the education sector have a role to play in enhancing student achievement and well-being and in closing the gaps in student achievement and maintaining confidence in the province's publicly funded education system. I don't think there's anything more important to our society than having that confidence in our publicly funded education system.

Many people have asked, why Bill 177 and why now? In 1998, the previous government introduced legislation that fundamentally changed the publicly funded education system in Ontario. That bill, however, did not address the necessary changes to governance structures within school boards. Since there's no appetite to go back to the way boards operated before amalgamation, we need to address school board governance now. There have been repeated requests for the government to address this, and we need to act.

Now, I ran as a trustee in 1997. I ran in the area of the board that is now the Trillium Lakelands District School



Board in the city of Kawartha Lakes. I spent 12 years on that school board. When I became a member of that board, I was a raw rookie walking into it. I didn't know what to expect. I had the incredible luck to be able to serve with some incredible trustees in that first round, trustees who had had vast experience in the old way that boards operated, when they had the right to tax. Many said that they could make local decisions, and that impacted boards a lot.

I had three trustees in particular from that former board who were great mentors for me: Cheryl Murdoch, who represented Haliburton; Doris Monahan, who represented the Muskoka region; and Judy Saunders from the city of Kawartha Lakes. They were just a few of the trustees I served with over the years, but they had a great focus on school board governance.

The board basically said at that point in time that with the change in government funding at that point, where they no longer had the ability to tax, what we needed to do was take the money we were given by the province and make the best use of it we could. Later in my career on the school board, I got to know a trustee from York region who was chair of the York region school board for I guess about 17 years, Mr. Bill Crothers, and he repeated that line to me. He said that our primary responsibility as school board trustees is to take the money that we are given by the province and make the most efficient use that we can out of that money to generate the highest level of student achievement. I absolutely believe that that is the role of trustees. We need to make sure that those dollars are spent wisely and that they are used in the most efficient way.

Furthermore, in 2003, when our government was given the privilege of serving Ontarians, we committed to restoring a positive working relationship with our educators and making student achievement a priority. In contrast to the unilateral approach by the previous government, our approach has been, and always will be, one of respect, collaboration and consultation with our education partners. Bill 78 was an important step in that approach. That bill brought positive changes in support of publicly funded education. It replaced teacher testing with increased supports for our new teachers, increased the trustee honorarium and empowered student trustees. That approach has resulted in smaller class sizes, thousands of repairs being made to our schools, and eight years of labour peace in the education sector.

My two children went through high school, and they were the first group to graduate without having to go through any type of labour disruption in the secondary system. They had full programs of extracurricular activity. The change in the system, when that came through, was fabulous for parents and students.

On our student achievement front, we have seen a 13% increase in the number of students who are meeting the provincial standards. That standard is a B. It's not just a pass; it's a B. We are saying that simply passing isn't a good enough goal. And Ontario's graduation rate has risen by 11%.

These achievements would not have been possible without the amazing work being done by educators across the province, and trustees. I really believe that the most important responsibility of trustees is ensuring student success. Our government recognizes and supports the invaluable role they play in our publicly funded education system.

One more comment on Bill 78: One of the things that Bill 78 granted to school board associations was the right to be consulted. They have to be consulted on any bill or motion coming forward which has a significant impact on legislation. This is something that I fought for when I was president of the school boards' association. I can remember the conversation that went on at the time with the minister of the day, Minister Papatello. She said, "Why do you need this right to consult? We talk on regular occasions; you even have my cellphone number." I said, "You might not be here forever, and another government down the road might not want to pay the same amount of respect for school boards" that she and the government had. So that was a crucial piece that was instilled in Bill 78. It was crucial for school boards, and I'm very proud to have been a part of that, because that commitment on the behalf of the government to consult with school boards is part of what we've been doing through the governance review consultations that have been taking place.

That's why our government support for school board trustees has never been greater. Since 2003, we have increased trustees' honoraria and provided guidance, support and training to assist them in carrying out their important work. Bill 177 continues this supportive relationship by clarifying the roles of trustees, board chairs and directors of education. This bill is part of a larger commitment by this government to have everyone aligned, from parents, teachers and principals to trustees, with a sense of purpose to focus on student achievement and well-being.

Decision-making powers will continue to rest with school boards. The bill will, however, encourage boards to set higher levels of student achievement, ensure that trustees and directors understand their roles and responsibilities and ask boards to reach their goals in a fiscally responsible manner. We know that the communities look to their local school board to make sound decisions to responsibly and appropriately manage public resources and to act in the best interests of students and families. This is how the system is now and how our government believes that it should be.

I'd like to talk a little bit about my experience as a trustee, the four years that I spent as a trustee. I was privileged to serve as president of the Ontario Public School Boards' Association. This is a position that was also held by the member from Guelph and the Minister of Natural Resources. During that time period I was able to travel across the province. I visited virtually every school board, every public school board, in the province, spoke to trustees, and as I was talking to trustees across the province, questions were always raised about, "What



exactly is our role?" School board chairs would ask, "What exactly is my role?" Because there was confusion. Every board in the province seemed to have different ideas about what the role should actually be. Some made it a much greater role; for example, as a school board chair, some boards had the chair doing so much more, and for other boards it was strictly holding the hammer at the meeting. The roles of trustees: Trustees often wondered—you know, I talked to trustees who actually believed it was their role to go in and inspect boilers in schools. To me, that's something that should be left to the maintenance department.

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My board, just to give some personal background on what we did, decided to get into policy governance. That was where we set ourselves to be. We would set the rules and let the operation be handled by the professionals. Just as a demonstration of how we did that, as part of our budgeting process when I was with the Trillium Lakelands school board, we'd start our consultations in the late fall to talk about what our priorities and plans were for the following year. We would set our priorities as our plan going forward. Those priorities would drive our budget, which would take place through the spring, leading into the spring session. We would set what our priorities were for the system. We would develop a budget that supported those priorities, pass that budget, and at year-end we would receive our report on how staff did in that. We used that as a large part of our accountability process to our public when we sent our year-end report out.

As a further example of how that worked, when we hired our last director of education—who's actually retiring next week. Kathy Verduyn has spent, I believe, 35 years with the Trillium Lakelands school board. She is leaving and will be sadly missed by the board. A year after she became our director of education, she came in and said—our board at the time was struggling. We were below the provincial average on the provincial test scores. She said, "Give me some time to analyze what we need to do." She went out, and at the end of her first year she came back and said, "This is what we need to do if we're going to improve."

We had a school that had been involved in the Ontario-focused intervention program, OFIP. The school at the time had 23% of the students achieving the provincial standard, which we as a school board believed was unacceptable, because we believed that we were responsible for student achievement. The OFIP program came in with a series of extra staff, additional staff going into the school, additional resources going in. They worked with teaching staff basically to do better, to raise that. Two years from the time the OFIP program went into that school, 80% of those kids were achieving above the provincial standard. It was one of the largest improvements in the province.

Our director said that if we wanted to make those same types of improvements in our system, then what we must do is replicate that throughout our system, rather

than in one school. So our director set us up and said, "This is what it's going to cost to do it." I used to call it the SWAT teams going into the schools, where they would go in and work with staff, be in for a couple of weeks and then go to another school and another school. In the one year that we operated that, the schools within our board showed an 8% increase overall for the board, which was the largest increase by a school board in the province at that time. This was just three years ago.

So we showed how the board's decision to make the decision, saying, "Okay, we're going to have to cut some things over here because we believe in student achievement"—boards have the power to do that. Trustees have the power to make those decisions which can drive student achievement.

I've heard many comments being made about the value of student testing and EQAO marks. Testing should not be used to rank schools. I think that's appalling, because I know in my board, we have our best teachers going into the schools that need the most help because they want to help drive student achievement. Student test scores should be used to address the needs of individual students.

My daughter was in grade 3 the first year the EQAO tests were introduced. She was always getting Bs in reading and writing; she was an average student. She wrote the test, we got the test results back, and she had scored a level 1 in reading. We went to the teachers the following year. We didn't go in to chastise for her lack of success in reading; we said, "What can we do, working together, as a parent, to get her up to where she should be?" We sat down with the teaching staff and we developed a reading program, assistance at school, extra work for her there, and worked with her. When she wrote it in grade 6, she was at the provincial standard, and she continued to maintain the provincial standard as she went through.

That's what student tests should be used for: to improve students and to improve the overall system, to drive improvement, not to rank schools or to punish anyone, but to say, "Where do we need to put our supports?"

This bill still will allow boards to do that. It provides clarity of what they can do, what they need to do, where they should focus their resources. Testing is just one part.

I'll be honest with this. In the 12 years that I spent as a school board trustee, I heard from teachers who didn't like the testing, and newspapers would call and say, "What's the value of it?" But in all honesty, I did not receive one phone call from a parent complaining about the tests, because parents want to know how their children are doing. Whether the child lives in Cornwall or Kenora or Sudbury or Toronto, they're going to be competing for the same positions in colleges or universities, or jobs. They want to know that their children are on an equal footing. I believe that we've made great steps in getting there.

Bill 177: I heard it said last night, from the member for Trinity-Spadina, that it would neuter trustees because they wouldn't be allowed to make these budgetary



decisions. We went through, at my board, a number of years ago and created something we called the program enhancement fund. We had been told by our superintendent of business that we had to cut \$150,000 out of our budget. Now, we're a small school board, so that was an impact. We said, "Give us options of what we have to do to make that happen," so he gave us 10 options that we could do to cut \$150,000 out of our budget.

We looked at it and we said, "Okay, we can cut this." The board has to cut the budget to balance, but what we did was look at all the options we had, and we cut about \$300,000 out of our budget—not the \$150,000 that was required to balance, but \$300,000, and we created something we called the program enhancement fund. We went to our staff and we said, "Do you have a good idea that could be replicated throughout the system that will improve student learning?" It has become the most successful program and the one that I looked forward to as a trustee within that school board, because teachers come up with the creative ideas of what they can do to improve student learning.

That was a decision that was made by trustees because we took control of the budget and we made the responsible decision. But we realized that we didn't have credit cards. The government was controlling the funding and we would live within our budgets.

Bill 177 provides clarity for the roles of chairs. Once again, this provides a job description. There are a number of people who will be looking at running municipally or for school boards next year when the municipal elections come up, and I think it's great that they will have a clear definition: "Do I want to do this job? This is the role that it will entail. Do I want to perform this role and serve my community in this way?" The clarity that's provided in this bill will allow people to look at it and say, "Yes, I think I can do this job. I think it would be helpful and I can make a difference."

I know that there are a lot of people out there who can make a difference because they'll be fighting for the children in this province, to make it a better place. There's nothing more important to our province. I always say that our province's greatest natural resource is our children, because if we don't get it right with them and make sure that they are educated properly, then what does that say about us as a society?

1740

Yesterday, much was quoted from OPSBA. The member from Trinity–Spadina had a lot of fun with me yesterday, but he was quoting from a document. He kept quoting OPSBA, saying, "They're opposed to this. They're opposed to it." He kept quoting it.

The document he was quoting from wasn't the document that was on Bill 177. The document he was quoting from was OPSBA's comment on the regulations, the consultation on regulations. Once again, our government stood up and said, "You know what? The timeline is too short, and we need to change that." The regulations will be consulted, as is required under Bill 78, but those regulations will be consulted in the fall. They will be done.

As my colleague from Kitchener–Conestoga said earlier, the Ontario Public School Boards' Association, the Ontario Catholic School Trustees' Association, both francophone school trustee associations and the Council of Ontario Directors of Education support the initiatives going forward in this bill.

Not everybody's happy with it; I agree. It has been stated. It's a democracy. Not everybody is happy with it. There are trustees in this province who won't be jumping for joy with this, but this bill will clarify their roles. Directors of education will know what their role description is. Trustees will know what their roles are. School board chairs will know what their role is. To me, this is clarity. I was proud to be a part of the school board governance review committee when it was struck. My term on that committee was interrupted when the by-election was called which brought me here.

**Hon. John Gerretsen:** Oh, you shouldn't have won. You could have finished the work on the committee.

**Mr. Rick Johnson:** I know. I could have finished the work on the committee had I stayed on it. But you know what? I feel privileged to have been able to see this bill through from its infancy, when we went out and consulted with members across the province. I was fortunate to be able to attend three of the meetings before the by-election was called. I heard from trustees.

I believe we've got it almost perfect with this. It's not completely perfect, but you know what? We're almost there. So I thank you for the time this afternoon.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Peter Shurman:** I listened with interest to the contribution by the member for Haliburton–Kawartha Lakes–Brock, with particular reference to his personal experiences in his time as a school board trustee. I find it rather interesting that the personal experiences from my perspective tend to make the case that we've been trying to make.

The member talks about a director of education who went into a school and basically streamlined it, and did a great job on a one-off basis, so much so that they created, in his words, a SWAT team that went in with the particular mandate of going out and doing that on an across-the-board—no pun intended—basis. And they were able to achieve it. That was done in his particular jurisdiction. It wasn't done because there was a mandate that went out from Education Central—and I use that term by way of referencing the ministry. This is a function of good school board trusteeship. I assume that my colleague from Haliburton–Kawartha Lakes–Brock was a pretty good school board trustee.

That being the case, I have to reference again something I said in response to earlier debate. The fact is that school board trustees are not that different from every single person, no matter what party, sitting in this House today. They are sent to do a job by people who elect them. The sad fact is that they are elected by a lower number of people, much lower voter turnouts, than even we are. How many people go out to vote in the province



of Ontario in a general election? Somewhere between 50% and 60%. As far as school board trustees are concerned, they're lucky if they get 25%. So you've got a disengaged public.

What you do when you implement a cookie-cutter approach or, if I can coin another phrase, a bill that basically is a "we know better" bill, is that you say, "We're going to set the rules. We're going to do it on an across-the-board basis, province-wide," and you become, as a school board trustee, less relevant. I hazard a guess that my friend from Haliburton-Kawartha Lakes-Brock would not like being a school board trustee so much under this bill.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments.

**Mr. Peter Kormos:** I find myself in a very unusual position here this afternoon, one that's so very rare, because once again I'm going to praise the comments made by a government member. I'm confident that won't happen again for a whole long time.

*Interjection.*

**Mr. Peter Kormos:** That was a good contribution to the discussion.

I don't share the member's enthusiasm for the bill. I don't believe that it will achieve what the government says it's going to achieve. At the same time, it's refreshing to hear a member stand up, speak without a script, include personal experience and provide some illumination for us on perhaps facets of the issue—not necessarily the bill, but the issue—that is valuable.

I just want to know this: How come two of the most effective government backbenchers are sitting not over there, but are sitting on the last row of the rump? I can't for the life of me know what's in that Premier's mind when he sends these people off into the low-oxygen area when so many of his cabinet ministers are fouling up, demonstrating gross incompetence—and yet they retain their photo shot position beside the Premier. Some of them are darn near crawling on the Premier's lap when the camera is on him.

So I say to my government counterparts and colleagues, I wish you well in your search for a more significant role in the decision-making over there. Having heard what I heard from them today, I'm confident that if the Premier's office would only listen to them—Mr. Berardinetti is laughing. Please.

**Mr. Lorenzo Berardinetti:** I was smiling.

**Mr. Peter Kormos:** I wasn't being malicious in making that observation.

I may have a chance in a few minutes; I'm not going to have a whole lot of time. My question is this: Is this the Nunziata bill or the Matlow bill?

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments.

**Hon. John Gerretsen:** It's always very entertaining to listen to the member from Welland, who is so experienced in the matters of our democratic process here in the House.

I too would like to compliment the member from Haliburton-Kawartha Lakes-Brock. He knows what he's talking about.

Let's look at it in a little bit more global way. We are very fortunate in this House to have a number of former school board trustees on all sides and a number of teachers on all sides who probably know more about the intricate working of our school system than anyone else, I would dare say. We can benefit from that, and we have benefited from that.

I try to take more of a crow's nest view as to what has been happening. When I think back on all the controversy and the strikes and the acrimony that took place within our schools, within our teaching profession, during the Harris years, and I look at all of the very positive stuff that has happened over the last five years, not only in funding our schools—now, I know that it is the role of the members of the opposition to be somewhat critical and to make suggestions for change here and there, and I fully applaud them for that; I've played that role as well on that side. But the reality still is that we are spending more money on our schools, even though the total enrolment is declining. Our students are better off. It's shown in their test results on an ongoing basis.

This is a bill that more clearly defines the various roles that the various individuals within the organization of our school system play—the role of the board, the role of the director and obviously the role of the teachers, who do all of the teaching that goes on on a day-to-day basis.

This is a good bill, and it will make Ontario a continued leader in providing the best possible education for our young people.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments.

**Mr. Pat Hoy:** I'm pleased to rise and make a few comments on Bill 177 and the comments made by others.

To the member from Welland, I was told by a man who has been here somewhat longer than I have been here that it takes good backbenchers to make good ministers, and that's what I subscribe to myself.

To the member from Haliburton-Kawartha Lakes-Brock, I thought he gave a very good overview of Bill 177 when he talked about the various roles that would be affected by this legislation, trustees most importantly and foremost within the bill, but also parent councils and parent groups. I think that's very important. It's part of the whole school system. It's what makes it work best, when the whole community is involved with their school, and, most importantly, the parents of the students who are attending that school at that time.

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I really did appreciate his comments on testing and scores. I've always held the view that testing was indeed put in place to show what achievement levels were there, but in the main to assist, not to punish. I don't think that was the goal of testing at all, and it should not be. But I believe that, overall, his comments on Bill 177 were very apropos. He spoke about trustees, that there will be codes of conduct, parental involvement, and clarification. Even



here in this place, many of us have been chairs of some committee or other before we came to Queen's Park. Some may think it's rather simple role to do, but I happen to be a chair of a committee and, oddly enough, I got a big binder that tells me what my role is. So I don't think it's anything sinister or anything untoward that we would provide people who are affected under Bill 177 some guidance as to what is expected.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. The member for Haliburton-Kawartha Lakes-Brock has up to two minutes to respond.

**Mr. Rick Johnson:** I'd like to thank the member from Chatham-Kent-Essex, the member from Thornhill, the member from Welland and the Minister of the Environment for their comments—much appreciated.

The bottom line with all of this is that more Ontario children are graduating; more Ontario children are improving. The member from Nepean-Carleton—congratulations to her daughter starting kindergarten; she spoke about that earlier and talked about the busing issues. The day your children start school is a very important day in your life and it's one that should be treasured. But I would ask her—in her comments she talked about the busing problems—what would it be like, that system that she enrolled her child in, the public education system, if this government hadn't increased spending in education by \$5 billion over the last few years?

I was a trustee. My experience in education—my children started school; my daughter started school in 1992 under one government and then attended throughout—I was a chair of a parent council, a trustee, and then president of the provincial association. So I've worked with all governments in this, and I absolutely believe that I would be honoured to be a trustee under the guidelines of this regulation. With the clarity that it provides for the role, people will have a clear idea about what it is. Codes of conduct: What's the point of having a code if it doesn't mean anything? We have a code of conduct in this building. If you don't abide by that code, there are repercussions.

*Interjection.*

**Mr. Rick Johnson:** Well, there is a code. So these are all important. These are guidelines for successful operations of an organization. I am very pleased with what we've done in this bill, seeing it go from the beginning and now, hopefully to the end, and I look forward to working with school boards as we proceed.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Peter Kormos:** I've only got seven minutes or so left. We could stay here until 6:15 or so, so I could use my whole 20 minutes. I am going to speak to Bill 177, to two issues in particular.

As I said earlier, is this the Christine Nunziata bill or is it the Josh Matlow bill? I want to point out those particular provisions of the bill, neither of which will assist anybody in improving the quality of education here in the province of Ontario.

I do want to thank Dr. Ed Whitcomb. He sent all of us his most recent publication, *A Short History of Ontario*. He has a Ph.D., and appears to be perhaps even retired now. It's a delightful book. It's an easy read; he doesn't pretend for it to be anything more than that. We are grateful to get these from time to time from various authors, and this one is well written.

A particularly interesting paragraph—I just started reading it at noontime: Ernest Drury, of the Ontario Farmers' Union, the Premier right after the First World War—this was in 1919, 1920.

"Drury also wondered why power plants like the Chippawa one at Niagara cost six times the original estimate. He called for studies which revealed that every Ontario Hydro project had cost far more than the estimates. He asked to see the books. Beck stalled and then provided insufficient information. Drury asked again, and demanded better accounting. Beck withdrew Hydro advertising from newspapers that took the government's side in the dispute, and made speeches condemning government policy. That called into question the degree of freedom a publicly owned utility could and should have. Drury won the battle, and the freewheeling ways of Hydro's chairman were brought under control."

Uncanny. We're talking about 1919, 1920. It's like the "déjà vu all over again" observation.

I'm not prepared to dispute the validity of roles or definition of roles, but I believe that they should be guides.

Look, all of us are elected here. We come here with different agendas and we perform our role in different ways. Some of us are opposition members. We have a very different role from government members. Government members' job, if they want to stay with that caucus, is to support government legislation. It's not defined anywhere. As a government member, you don't have to if you don't want to. Back when I was a government member, I sure as heck didn't. It's your choice. Government members can choose to be oppositional in their style. Government members, never mind members of the Legislative Assembly, aren't precluded from criticizing a government decision after that decision has been made.

Mr. Bradley, although a member of the opposition at the time, was, like I was, a serious, strong and emphatic critic of wide-open gambling in the province of Ontario—the slot machines, the one-armed bandits. He railed, and I railed too, about how every corner of every block would have its own little gambling saloon with slot machines. Notwithstanding that his government calls slot machines and racetracks that don't race horses a "program," I know that Mr. Bradley in his heart remains as concerned about those slot machines now, not only as a government member but as a cabinet minister. Of course, he can't speak about it, because that's called the unity of cabinet. He could if he didn't want to be in cabinet. But I prefer him in cabinet. He's far more valuable as one of the fair-minded people and more experienced people—most experienced, perhaps—in that cabinet.

Here, if you're a member of the Legislature, you can be an activist in the chamber. There are some people who are very involved in the day-to-day goings-on of the process of legislation. Others are more constituency-focused. Many of us try to maintain some sort of balance because we know how important our constituencies are. Some members try to develop relationships with either cabinet ministers or, more importantly, bureaucrats so they can use that to influence the decisions of those people and perhaps attract something to their riding that the riding needs. You can be eager committee members or you can be, like some are, passive committee members, where you make notes or you do crossword puzzles. It's usually government members in committee. You drive the people participating, the public members, crazy because they think, "What did I do? I've spent all this time preparing for this, and there are five government members nodding off or playing with their BlackBerrys."

There are two people in this chamber, I can tell you right now, who will never be caught playing with their BlackBerrys. One of them is the member from St. Catharines, and the other is the member from Welland. We've never had a Blackberry, don't want one, never will have one. You'd have to thrust it—I'll flip that phrase around—into my dead, cold hands before I'd ever hold on to it.

People here have choices about how they perform their roles, and they're all legitimate choices, legitimate roles. The bill would purport to restrict the choices of a trustee on a board of education.

There's nothing wrong with broad, general, feel-good principles being articulated, because that's another aspect of us—it could be perceived as, really, the feel-good statements. Of course, you're supposed to be concerned about the students' interest and the students' welfare and success. Of course, you're supposed to be prudent in managing resources, taxpayers' money, that's allotted to you, and yesterday Rosario Marchese was speaking to that. Of course, this is logical.

Josh Matlow had the temerity, the gall, to criticize how the Toronto board dealt with a particular situation. He was brought up on charges by his colleagues. They presented and tabled a motion of censure. It's only because they ran out of time that they didn't get to it.

Matlow, to his credit—again, outspoken, as he should be. But that was his choice. There are some board members—just think, there are some elected people who shy from the limelight—very few. But he had a choice. He wanted to make sure that the public knew that he had great concerns. How the board handled it—I believe it was a matter of a disease epidemic at a particular school.

I'm going to carry on next time this bill is called, Speaker. Thank you kindly.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you to the member from Welland.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bruce Crozier):** It being 6 of the clock, this House is adjourned until 9 of the clock Thursday morning, September 17.

*The House adjourned at 1801.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
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<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
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Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
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<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
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Colle, Mike (LIB)	Eglinton–Lawrence	
Craiton, Kim (LIB)	Niagara Falls	
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Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
<b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Flynn, Kevin Daniel (LIB)	Oakville	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
<b>McGuinity, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	
McNeely, Phil (LIB)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener—Conestoga	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin—Middlesex—London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough—Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches—East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
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Ramsay, David (LIB)	Timiskaming—Cochrane	
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Runciman, Robert W. (PC)	Leeds—Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton—Mississippi Mills	
Tabuns, Peter (NDP)	Toronto—Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga—Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton—Kent—Middlesex	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West—Nepean / Ottawa-Ouest—Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth—Wellington	Minister of Revenue / Ministre du Revenu
<b>Wilson, Jim (PC)</b>	Simcoe—Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
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<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew—Nipissing—Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	
Vacant	St. Paul's	

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Bob Delaney, Garfield Dunlop  
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Michael Prue, Peter Shurman  
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Rick Johnson, Lisa MacLeod  
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Bob Delaney, Joe Dickson  
Rick Johnson, Sylvia Jones  
Norm Miller, Khalil Ramal  
Peter Tabuns  
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Vice-Chair / Vice-président: Jerry J. Ouellette  
Ted Arnott, France Gélinas  
Phil McNeely, Jerry J. Ouellette  
David Ramsay, Liz Sandals  
Norman W. Sterling, Maria Van Bommel  
David Zimmer  
Committee Clerk / Greffier: Katch Koch

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Sophia Aggelonitis, Vic Dhillon  
Cheri DiNovo, Linda Jeffrey  
Sylvia Jones, Jean-Marc Lalonde  
Carol Mitchell, Shafiq Qaadri  
Elizabeth Witmer  
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Bas Balkissoon, Christine Elliott  
Kevin Daniel Flynn, France Gélinas  
Helena Jaczek, Sylvia Jones  
Jeff Leal, Liz Sandals  
Maria Van Bommel  
Committee Clerk / Greffière: Susan Sourial









## MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

### Louis Braille

Ms. Sylvia Jones ..... 7390

### Walk a Mile in Her Shoes

Mr. Pat Hoy ..... 7391

### Town of the Blue Mountains

Mr. Jim Wilson ..... 7391

### Firefighters

Mr. Paul Miller ..... 7391

### Tim Hortons

Mr. Kevin Daniel Flynn ..... 7391

### Douglas Memorial Hospital

Mr. John O'Toole ..... 7392

### Biorem

Ms. Leeanna Pendergast ..... 7392

### Taxation

Mrs. Carol Mitchell ..... 7392

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No. 163

N° 163

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 39<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 17 September 2009**

**Jeudi 17 septembre 2009**



**Speaker**  
Honourable Steve Peters

**Président**  
L'honorable Steve Peters

**Clerk**  
Deborah Deller

**Greffière**  
Deborah Deller



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Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 17 September 2009

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 17 septembre 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the Buddhist prayer.

*Prayers.*

## ORDERS OF THE DAY

### PUBLIC SECTOR EXPENSES REVIEW ACT, 2009

### LOI DE 2009 SUR L'EXAMEN DES DÉPENSES DANS LE SECTEUR PUBLIC

Mr. Takhar moved second reading of the following bill:

Bill 201, An Act to provide for review of expenses in the public sector / Projet de loi 201, Loi prévoyant l'examen des dépenses dans le secteur public.

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. Harinder S. Takhar:** I'm honoured to rise today to lead off the debate for second reading of this very important piece of legislation designed to provide further accountability and transparency with regard to the use of taxpayers' dollars. The Public Sector Expenses Review Act, 2009, if passed, would empower the Integrity Commissioner to review the expense claims of senior officials—and I want to stress "senior" officials—who are employed by or appointed to our 22 largest public agencies, boards and commissions, and take appropriate actions where required.

The proposed legislation requires employees in government agencies to abide by the same level of accountability and oversight that cabinet ministers, political staff and the opposition leaders' expenses are being held to right now. If the Integrity Commissioner determines that all or part of an expense is not allowable, she may require repayment of the expenses in whole or in part. The Integrity Commissioner may also recommend other remedial action—whatever she feels appropriate.

Under the proposed legislation, the government has the power to require any government agency, board or commission to abide by these rules through regulations.

The proposed legislation would require the Integrity Commissioner to prepare and make public an annual report on the review of expense claims. This act applies to expenses incurred on or after September 1, 2009.

There have been some suggestions that the Integrity Commissioner's office will be swamped and unable to handle these new responsibilities. I want to make this clear: I don't think this is an accurate or factual statement. I also want to remind the House that the government consulted with the Integrity Commissioner as the legislation was drafted, and will continue to do so as the regulations are implemented.

Allow me to quote the Integrity Commissioner from a statement that her office issued yesterday after the bill was introduced: "This office has co-operated with the government in preparing for the oversight of the expenses of senior officials at 22 of the province's largest agencies." This is what was said by the Integrity Commissioner—

**Mr. Peter Kormos:** On a point of order, Mr. Speaker: I'm referring to standing order 71, in particular 71(b). It provides that, "A bill shall not be called for second reading if the Clerk of the House is notified by 12:00 noon of the sessional day following its introduction of intention to give notice of a reasoned amendment...."

Here we are on the second day. We have until 12 noon to give notice. It seems to me that there's a problem. We have a right to defer second reading if we give notice pursuant to standing order 71, but we're being denied that right by virtue of this bill being called before 12 noon.

**The Speaker (Hon. Steve Peters):** I thank the honourable member for the point of order. I would like to engage in a consultation with the Clerk and the table. This House will be recessed for 15 minutes.

*The House recessed from 0907 to 0929.*

**The Speaker (Hon. Steve Peters):** I want to thank the member from Welland for his point of order.

The member from Welland is correct in his reading of standing order 71: There is an opportunity for members to notify the Clerk of an intention to give notice of a reasoned amendment to the motion for second reading. The effect of such notification is to delay the calling of the order for second reading until the next sessional day.

This standing order has been part of our rules for some time and predates the most recent standing order changes, which altered the House schedule.

Notwithstanding standing order 71, the government's intention to call Bill 201 this morning was clearly indicated by way of today's order paper. That being the case, members did have an opportunity to provide notification under 71(b) if they intended to avail themselves of its provisions. Since no notification was given before 9 a.m.



today, there was no reason not to allow the debate to proceed. The order has been called, the motion for second reading moved and the debate has commenced.

Having said that, the standing orders do provide that members have until noon to indicate whether they intend to file notice of a reasoned amendment.

My role, in part, is to facilitate the business of the House. With that and the particular conundrum we find ourselves in this morning in mind, I'm going to give members an opportunity now to verbally indicate if it is their intent to file notice of a reasoned amendment as provided for in 71(b). If so, I will seek a motion to adjourn this debate and call for orders of the day. If not, I will allow the debate to proceed.

Does any member wish to file notice of a reasoned amendment?

If not, we can continue with the debate.

**Hon. Harinder S. Takhar:** I want to thank the member for letting me continue with this very important debate and piece of legislation that we are debating.

I was saying that the Integrity Commissioner has been consulted and has issued a statement. I just want to read a few more lines from what the Integrity Commissioner said: "We welcome this opportunity to continue our work in fostering a culture of integrity in the provincial government." She further said, "The Integrity Commissioner's office has been reviewing the expenses of cabinet ministers, opposition leaders and political staff since 2002." If I may quote the Integrity Commissioner's statement again, "This proposed new mandate builds on the work our office has done for the past seven years." Commissioner Morrison is quoted as saying, "The Office of the Integrity Commissioner is responsible for five key areas." I would suggest they know exactly what their mandate is and what they are doing, and they have done a good job.

In these difficult economic times, every tax dollar counts. It is more important than ever that we all take responsibility for making sure that hard-earned tax dollars are spent wisely. While the vast majority of public servants follow the rules and work hard to protect tax dollars, unfortunately, some have not. That is why we have taken steps to ensure that each of us understands and follows the rules regarding expenses.

The introduction of this act follows on a number of recent actions taken by this government to ensure that taxpayers' dollars are not being misspent. Most recently, the government announced that expenses for Ontario public service senior management, cabinet ministers, political staff and senior executives at Ontario's 22 largest agencies will be posted online. We also announced that we will increase the number of random audits of expenses to ensure that the rules are being followed. During the annual audit of Ontario's agencies, boards and commissions, external auditors will be required to look at expenses and expense practices as well, to ensure that the rules are followed and controls are in place.

In addition, a new two-page summary of guidelines for travel, meals and hospitality expenses has been de-

veloped for easy reference by all OPS employees, political staff and employees at Ontario's agencies, boards and commissions. This summary boils down some 25 pages of guidelines to about two pages.

Also, the government has committed to the development of mandatory online training on expense claims for all OPS and agency employees.

I want to say that my background actually is in finance, and I had the privilege to work with large private and public corporations as chief financial officer and senior executive. In these roles, I had the responsibility to ensure that adequate internal controls were in place and ensured their ongoing effectiveness.

Any time you find there's room to improve internal controls, you follow certain well-developed practices to improve the internal controls and their effectiveness. The first and the foremost step you always take is to ensure that policies and procedures reflect the current realities and are easily understood. Second, you always undertake to educate the people affected by the new policies and procedures. The next step is, in order to ensure that policies and procedures are being followed, you set up the right approval processes. This often is supplemented with random audits by the internal or external auditors in large organizations. This helps both to ensure that policies are being followed as intended and that they are effective.

If you look at what we have done, we have followed a very similar approach. Let me just sum it up for you:

—We have clarified that current expense directives with regard to travel, meals and hospitality expenses will be followed by 22 large agencies;

—If this legislation is passed, it will ensure and it will give the authority to the Integrity Commissioner to review the expenses of senior officials of 22 large agencies. I want to say that again: This applies, and our intention is to apply it, to the senior officials only of 22 large agencies at this point; and

—We are also asking our internal audit department or the external auditors—that may be the case—to do random audits of expenses and expense policies.

These are proven methods employed by large organizations to improve their internal controls and their effectiveness, and I feel these are steps in the right direction.

The Premier announced on September 1 the commitment that triggered the very bill we are discussing here today. The bill provides the same rigorous oversight in agency expenses that currently applies to cabinet ministers and political staff. Also on September 1, the Premier directed agencies, boards and commissions to strictly adhere to the rules in the Ontario public service's travel, meals and hospitality expense directives. In addition to that, we also announced an external government-wide review of accountability at agencies, boards and commissions to ensure the interests of taxpayers are protected.

These actions are designed to shine a light on inappropriate expenses so Ontarians will know who exactly is spending what exactly.

As I said before, the vast majority of public servants and appointees to our agencies, boards and commissions



know the rules and follow the rules. The steps that our government has taken will make it easier for everyone to know the rules and harder for anyone to break the rules. We are putting in place more education, more oversight and more transparency to achieve greater accountability. I am confident that the public servants working for all Ontarians will, because of the steps we have taken, better appreciate our shared responsibility to be respectful of taxpayers' dollars.

Every person working for taxpayers must take responsibility for knowing the rules and following the rules, just as our government will continue to take responsibility for enforcing those same rules. This is a responsible and I think very timely action. I urge my fellow members in this House to support this important piece of legislation and I look forward to their support.

0940

**The Acting Speaker (Mr. Jim Wilson):** Questions or comments?

**Mr. Paul Miller:** I understand the dilemma that the governing party is in with the situation with the scandals that have happened over the summer, and the information that's coming out on a regular basis and will continue to come out for the next several months. Unfortunately, in my humble opinion, they're johnny-come-lately. They've had six years to address these types of situations. As was noted yesterday, once the hand that's in the cookie jar gets caught, then things happen. It's unfortunate that this is the situation and that's the way it's unfolding.

I agree with the minister that accountability is important. I agree with the minister that regular audits should be done. I agree with the minister that there should be a governing body assigned as a watchdog by the government, or any other governing party, to take care of situations that arise that may be questionable at best. That didn't happen; now it is happening. But once again, I'm not quite sure that this bill will cut it. It will probably help to make the people who have abused the system aware of the possible consequences, but I don't think this bill goes far enough. I don't think the penalties are stated. I honestly believe it's criminal to use taxpayers' money in a flagrant manner, which has been going on for many, many years around here. So I'm hoping that the minister will set out some rules which have some meat to them, that are going to show fines, people are going to be fired, people are going to possibly find themselves in court for abuse of taxpayers' money. I didn't see a lot of that—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further questions and/or comments?

**Mr. Dave Levac:** Thank you very much, Mr. Speaker. I do welcome you back. I think it's the first time I've seen you in the chair since the break. Welcome and good luck with your duties, as always.

Minister, thank you very much for providing us with a piece of legislation that many of us would support. I'm hoping that in the dissertations from the opposition we hear their support for this legislation. As the member just recently said, this has been going on for years and years and years, which actually means that it's with all levels

of government and all parties. So I would hope that as we continue to evolve in this place, as we've done—we don't have the same legislation of 100 years ago—we continue to tweak and we continue to improve pieces of legislation that help us and guide us with taxpayers' dollars, to make sure they're spent in a way that is appropriate.

Quite frankly, I will tell the minister flat out that I'm supporting this piece of legislation. Inside, the legislation provides for a large swath that has not been touched in the past. It has never been touched. Now, with this piece of legislation, we're going to see more light and more transparency in agencies that have never been touched before. I want us to listen carefully to the opposition as to whether or not they're going to do one of two things: They're going to talk about the legislation and laud the government for cleaning up some things that have been pointed out, not just for this government but for past transgressions, and also whether or not they're going to simply use it to try to mark us up. That's their job. Let's just be prepared. They're going to sit here and try to say, "Liberals bad, government bad," and then they might say, at the very end of their speeches, "and we think it's a good piece of legislation." That's probably what's going to happen. So I'm asking everybody to prepare yourself for the regular kind of rhetoric. But past the rhetoric, let's pay attention to the bill that's going to make it a better way to spend money.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and/or comments?

Seeing none, the honourable Minister of Government Services has up to two minutes to respond.

**Hon. Harinder S. Takhar:** First of all, I want to thank the member from Hamilton East–Stoney Creek. I also want to thank my colleague, the member from Brant. The member from Hamilton East–Stoney Creek actually agreed with some of the key steps we are taking to improve accountability and transparency, and I thank him for that. The member from Brant actually touched on some of the key things here, and I want to thank him for that as well.

The key thing, as I said before, is that I think it's important for us to improve transparency and accountability through this legislation. We have taken, as I indicated before, proven steps to move forward with this. The first is that we have actually taken this whole policy and reduced it to two pages so that everybody can understand. We are moving ahead to train people so they can actually understand this policy. We are also moving ahead to post the expenses of senior officials, cabinet ministers, political staff and opposition leaders, so the public can really see who is spending and what they are spending. These are steps in the right direction.

We are also giving powers to the Integrity Commissioner to actually look at the expenses of senior officials in the 22 largest agencies, so that more accountability can be brought in. She has the power, in fact, if she feels they are not appropriate expenses, to ask for a refund of those expenses.



In addition to that, we will also give powers to external or internal auditors to do random audits, so that they can review expenses and also look at policies and see if they are reflective of the current economic circumstances and how we move forward.

I want to thank both members for their feedback and the support they have provided.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Elizabeth Witmer:** I'm pleased, on behalf of the PC caucus, to speak to the bill, which was introduced yesterday, entitled the Public Sector Expenses Review Act—

**The Acting Speaker (Mr. Jim Wilson):** I don't want to interrupt, but did you want to stand down your lead speaker? Would you like to ask for unanimous consent?

**Mrs. Elizabeth Witmer:** I'd like to move that we stand down our lead.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed? Agreed.

Honourable member for Kitchener–Waterloo, you have the floor.

**Mrs. Elizabeth Witmer:** Thank you very much.

I'm pleased to respond to this legislation; the bill is entitled the Public Sector Expenses Review Act. This legislation would, if passed, give the Integrity Commissioner the legal authority to review expense claims at Ontario's 22 largest agencies.

Let me begin by saying that the Progressive Conservative Party, under the leadership of our leader, strongly supports any initiatives to further accountability and transparency. In fact, it was for that reason that we did have a number of FOIs. We did make requests. I would say to you that this bill is here today because the FOIs uncovered one scandal after the other. In fact, you could say we've had a summer of scandal, and this bill is now an attempt to cover up the information that we obtained in those FOIs and also the numerous spending scandals that came to light.

Although this government purports to support accountability and transparency, in the past six years, with the information that has been obtained, we have not seen accountability, we have not seen transparency. I think what we have seen, however, is a Premier and a cabinet not able to or capable of providing the oversight to the agencies for which they have been responsible. So now, in an attempt to divert attention from the numerous scandals—the spending scandals which have come to light through the FOIs and also through other investigations by the media—the government has introduced this bill.

I also would say it is somewhat ironic that the minister responsible for bringing this forward was one of the first members to actually have been found in violation of the Members' Integrity Act. The Premier took no action, just as the Premier has never taken any action when other scandals have been uncovered, whether it was the scandals at OLG—we've had two there now—or whether it was the scandal at eHealth. So this bill is now just another attempt to cover up the scandals, take away the

accountability that the ministers supposedly should have had in providing oversight to these agencies and dump it on to the plate of the Integrity Commissioner.

0950

Having said that, I know and we know that the commissioner can do the work which they have been asked to do in ensuring accountability. However, I would also say to you that we believe it's important that a committee of this House, because of the depth and scope of the scandals, should have the opportunity to review the eHealth and OLG spending scandals. We don't believe that we should be trying to get rid of the responsibilities of cabinet ministers and of the Premier. As I say, this is just an attempt to shift the responsibility elsewhere.

I guess I would also raise the question, has the Premier now acknowledged that the ministers that he has in place are not capable of overseeing aspects of their ministries for which they have responsibility? Is this saying, "Listen, my ministers just aren't up to the job, so I'm going to have to give it to the Integrity Commissioner"? You know, we're going to see the creation of a new bureaucracy. There are going to be 22 agencies that are going to come under the purview of the Integrity Commissioner, who has a staff of nine. You know what? This is just an attempt to divert attention away.

Let me continue. As I say, we believe that this is an attempt to cover up the summer of scandal. This bill is being brought forward after very inappropriate spending practices in at least two Ontario agencies were revealed by the opposition, and despite what the minister has said today about this government believing in transparency and protecting hard-earned tax dollars, we have now had a government in office for six years demonstrating anything but protecting hard-earned tax dollars or seeing that they're spent wisely, or being transparent.

We wouldn't have had to file these FOIs, dig so deeply and use taxpayer money if the government had been willing to provide the information that was requested by us. But I can tell you, much of this information has been very difficult to obtain, and certainly there were some roadblocks put in our way. We wouldn't be here today and there wouldn't be a bill today if we hadn't filed those FOIs and if some of these spending scandals hadn't come to light. We would have continued to see this culture of waste and this lack of accountability, because the government knew full well for a long time that there were problems at OLG. They were uncovered when the current Minister of Health was then the minister at OLG. We were told that they had been dealt with. Well, obviously they hadn't been, because now we've uncovered a second scandal.

They were told about the spending practices and waste of money at the Smart Systems for Health Agency, and of course now eHealth, but they have chosen to do absolutely nothing in the past six years. They turned a blind eye to what was happening, and they continue. I can remember the Minister of Health standing in this House day after day after day denying any wrongdoing of spending at the Smart Systems for Health Agency or at eHealth. I



know, because I questioned the Minister of Health and the Premier about the Smart Systems for Health Agency and subsequently eHealth. I repeatedly asked the minister and Premier to call in the Auditor General to conduct a value-for-money audit of the SSHA and eHealth Ontario. However, for weeks the government ducked and dodged questions about how the \$647 million of taxpayers' money was being spent on the Smart Systems for Health Agency. In fact, I have a press release here that I issued on April 2, 2009, where the headline is: "More Than Half a Billion Spent ... But Where Are the Results?" "Witmer says the agency responsible for Ontario's eHealth system must be investigated."

And we ask here for the Auditor General to be given the opportunity to conduct a value-for-money audit of the Smart Systems for Health Agency to ensure that taxpayers' money was well spent. We asked because at that time we knew—and it says in the press release—there was a lack of oversight, there was a lack of visible success, and we had become aware of rampant government spending. We also knew that in this province, despite the initiatives undertaken by provinces elsewhere that are going to have a province-wide eHealth system up and running this year and next, ours is not going to be ready until 2015. And yet this government, even despite the fact that Deloitte had some questions about the effectiveness and the value of the money spent, chose to do absolutely nothing.

I conclude that press release by saying, "An audit must be done to identify opportunities for improving the efficiency and effectiveness of eHealth programs and the operations of eHealth Ontario. During difficult economic times, taxpayers want to be assured that their tax dollars are being well spent."

Well, I can tell you that this government, this Premier, this health minister, they did duck and they did dodge; they didn't acknowledge that there were any problems whatsoever.

But you know what they had done? In response to the questioning on the Smart Systems for Health, they attempted to quietly disband that first agency and they set up eHealth. We now know that the track record of eHealth and the spending practices, just total disregard for hard-earned taxpayer dollars, we got the same result; so far we have nothing. And let me add that according to Canada Health Infoway, by 2010, Prince Edward Island, Quebec, Alberta, BC and the Northwest Territories will have an eHealth system. Meanwhile, we've spent all this money—two agencies later and we're not going to see any results until 2015. That's not going to allow the taxpayers or the patients to be well served in the province of Ontario.

So let's go on. What did we learn when we did the FOIs? We learned that these agencies, whether it's Smart Systems, eHealth or the Ontario Lottery and Gaming Corp., had spent millions of dollars, a lot of it on consulting fees to Liberal-friendly firms, flights, food, hotels for consultants etc. It was shocking to taxpayers in the province of Ontario to realize, particularly during these

tough economic times when so many people were out of a job or had lost their savings in their RSPs and other accounts, to see how money was being spent and the lack of oversight that was demonstrated by the McGuinty government and by the individual cabinet ministers. This government, until the introduction of this bill, which I say is simply an attempt to divert attention away from this summer of scandals and the information in the FOIs—and I can tell you this is not the end. There's more information about more agencies where spending has been totally inappropriate and there is, again, a total lack of oversight by the ministers responsible for the agencies.

Their refusal to take action stands in stark contrast to what the McGuinty government said in the Ministry of Health's 2008-09 results-based plan briefing book. On page 2 of this book it says: "A solid investment strategy is completely dependent on clear returns on investment. Ontarians are entitled to know what they are getting for their money.... The government will not spend where measurable results are not evident."

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Well, I can tell you, what they say in this Ministry of Health book is totally contrary to what happened at Smart Systems and eHealth. I just want to give you a few specific examples. This is where the minister stood in the House and ducked and dodged and refused to acknowledge there was any wrongdoing, refused to be transparent, refused to be accountable.

What we were able to obtain through freedom of information was that the Smart Systems for Health Agency had spent more than \$45,000 on food expenses for consultants, they had spent more than \$753,000 on travel expenses for consultants and they had spent more than \$231,000 on hotels for consultants.

We also learned through the FOIs that between October 2008, when the new eHealth was set up, and January 2009—just a few months—eHealth Ontario had continued to spend taxpayer money, in total disregard of the fact that this money had been hard earned.

Again, we have a Minister of Health and we have a Premier who are totally unconcerned and refuse to acknowledge there's any wrongdoing, any inappropriate spending.

We again find that food expenses for consultants and employees continued. It was found that in about three to four months, there had been \$39,000 spent on food for employees and consultants, there had been \$108,000 spent on travel expenses of employees and consultants, and there had been \$48,000 spent just on catering.

I think we have to acknowledge that despite the fact that this government and this minister stand here today and tell us that they want to be accountable and they want there to be transparency, we've had six years where they have turned a blind eye to any abusive spending of taxpayer dollars. They didn't make readily available to us this FOI information or any of the other FOIs that we asked for, and we have to pay to get this information. And do you know what? That information should be made readily available to the opposition if the government has nothing to hide.



So we are here today because we have had a summer of scandal: in particular, the eHealth spending scandal, and of course the OLG spending scandal. This bill today is simply an attempt to cover it up and to I think acknowledge that the ministers aren't capable of providing the appropriate oversight, so we're now going to give it to the Integrity Commissioner.

As I say, we value the work that the Integrity Commissioner and her staff do and that they have undertaken in the past. We still believe an all-party committee should review these two spending scandals, at eHealth and OLG. We strongly believe in legislation to ensure that there will be accountability. But we're not quite sure why the Premier is trying to shove it off to somebody else, this whole issue of integrity.

We believe that the Premier needs to demonstrate the fact that he is in charge. We also believe that it's time for him to send a signal to his cabinet that at some point in time a minister has to be held accountable. You can't have accountability without someone being held accountable. As I say, this Premier doesn't hold his ministers accountable.

Certainly when it comes to OLG, where we've now had two scandals, a minister should have been held accountable. When we take a look at Smart Systems for Health and now eHealth, two more agencies, the Minister of Health should have been accountable. And we have asked for the minister's resignation.

So today we do support any accountability measures. We do support transparency measures. But if the Premier is not prepared to be accountable himself, this bill will be of no consequence. We've already seen that when members violate the Members' Integrity Act and it's found to be in violation by the Integrity Commissioner, there's no consequence anyway.

I would suggest that the government do more than just talk about accountability, do more than just talk about transparency, do more than just protect hard-earned taxpayer dollars wisely—which they have not done for six years—and recognize that it's time now to move forward, it's time now for the Premier to hold his cabinet accountable, and it's time for the cabinet to ensure that the agencies and the staff they oversee are held to account, and, if they are found to be in violation, that there are some real consequences to those actions. So far, we haven't found that. People simply continue in their jobs. There are no penalties; there's no consequence whatsoever. I'm not sure this bill speaks to any consequences either; it was just introduced yesterday. But certainly, as I say, this bill is a cover-up—a cover-up trying to move us past the summer of scandal.

We hope that this government, in the future, will be accountable.

**The Acting Speaker (Mr. Jim Wilson):** Questions and/or comments?

**Mr. Paul Miller:** I would commend the former minister for her points—very well thought out and researched.

All I can say is I spent my life working as a steelworker in Hamilton. I worked hard, paid taxes and

followed the rules. I didn't have an expense account for car washes; I did it myself. Any work on my house, I did myself. My work was dangerous and tough, and when I see \$3,000-a-day consultants, my reaction is anger. I didn't get free coffee at Tim Hortons. I paid for my children in education. I didn't receive millions of dollars in buyouts and severances. If I lost money on a regular basis, I would have been fired. I paid for my gasoline, heating oil etc. I didn't have an expense account.

I would suggest that now that the government has been caught and now that they've decided to monitor the situation, maybe they should practise what they preach. I don't know about you, but I spent a lot of days in the trenches and I earned and I paid my taxes. So I just want to say that we should be regulating these types of CEOs.

I remember a few years ago that there was even a Hydro One yacht. I remember the Airbus scandal. I remember the golf course in Quebec that Mr. Chrétien was involved in. People in Canada are sick and tired, people in Ontario are sick and tired of the abuses. If this bill is a step in the right direction, that's good, but it sure falls short of any penalties or really bringing these people to task on what they're doing. I for one, as an Ontarian, am sick and tired of it.

**The Acting Speaker (Mr. Jim Wilson):** Questions or comments?

**Hon. Harinder S. Takhar:** Let me talk about what the member from Kitchener–Waterloo talked about. You know, in our culture there's a saying that before you throw mud at others, maybe you should look at yourself first.

She talked about two issues; one is about being transparent. How can she even talk about transparency? When we took over the government in 2003, there was a \$5-billion-plus deficit which was hidden, and during the election they talked about how the budget was completely balanced. That is transparency from their point of view.

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Then she talked about the freedom-of-information records and that they should be readily available. Let me give her some information that maybe will be of some interest to her. Her leader, when he was Minister of Tourism in 2001: Do you know how many freedom-of-information requests he gave? Ten out of 29: 40%. That's how transparent they were, how much information they gave.

When she talked about ministers being capable and respectful—I used to work at a school board when this member was Minister of Education. I also remember what happened when she attended some of the meetings with the teachers and so on. I firmly remember what happened at that time. This is how much respect she earned in the teaching department and so on.

This is what their record is, and now they are lecturing us on that? They should really look at their records first before they even start talking about this. I have a lot of respect for this member, but sometimes when she makes comments, it's unbelievable what kind of mud they throw



at us without really looking at the record that they had. They should just look at what they did—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Questions and comments?

**Mr. Peter Kormos:** I appreciate Mrs. Witmer's references to ministerial accountability and, even more importantly, ministerial responsibility. This bill is a very dangerous trend that we've witnessed here because the design of the bill is such that it's going to isolate ministers from their responsibility to oversee not just their ministry but those agencies that are attached to their ministry.

It is inconceivable that nobody in the ministry knew about these types of expenses. It is more likely that deputy ministers or ADMs were a party to some of these spending binges. This government didn't have an aversion to outrageous expenditures by virtue of wining and dining, expensive hotels and the whole nine yards; it only acquired this concern when the spotlight was shone on it.

For the minister to talk about FOI requests and how many are granted—it's not the ministry that determines what FOI requests are responded to; it's the legislation. So that statistic is a very dubious one, and it certainly doesn't assist the minister or the government. What we do know, though, is that this government actively withheld information that was called upon under the freedom-of-information legislation because of political concerns. Dwight Duncan is referred to as having specifically stated that they delayed the disclosure as long as they can. He said, "We simply can't do it anymore. The gig is up." That political interference is, in and of itself, shameful conduct on the part of this government.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Dave Levac:** The member for Kitchener-Waterloo made me a wizard because, as I predicted, Bill 201 was barely mentioned, and it was mentioned at the end of her speech. It was basically to say, "And yes, we're going to support it." Basically, in a nutshell, what we have here are people wagging their fingers, as I predicted, and using the time to do what they do best, and that is to criticize the government of the day.

What we want to do now is to talk about whether or not we want to move forward in an evolution that I said takes place in all legislation, which is to improve it. The member from Welland taught us a lesson this morning in terms of his point of order. We found a flaw in an issue that he himself is saying is just a flaw; we actually will correct it. So quite frankly, we have to continue to move forward. The bill itself is talking about cleaning up the problem that has been pointed out.

One of the things that I like to hear the most from not just the member from Kitchener-Waterloo but particularly from the NDP is this wonderful action of being the roosters who are taking credit for the sun rising. They crow, the sun comes up and it's, "Oh my gosh, I must be responsible for the sun rising. Here we go."

Actually, let's take a look at the historical references over and over in this place. We continue to see the oppor-

tunity for us to improve legislation for the taxpayers and let them see that we're taking action to either protect them in the safety aspect, or taking the money they're giving us to make sure that we make our society better. This bill is addressing a problem. The bill is expanding that capacity.

I disagree with my colleague from Welland. He says that we're not going to have any oversight. We're having oversight of the function. What we're now doing is making sure that the Integrity Commissioner has oversight of the funds that are there for them to spend. That's exactly what the legislation is doing. I laud the minister for bringing it forward and I support the legislation, Bill 201.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member from Kitchener-Waterloo, you have up to two minutes to respond.

**Mrs. Elizabeth Witmer:** I thank the member for Hamilton East-Stoney Creek, the member from Welland, the minister and the member from Brant.

I think we can see that the bill that we have in front of us here today is one that obviously is going to generate perhaps a little more heated debate than normal. I think the opposition would agree that this bill before us today regarding the shifting of responsibility for oversight of the agencies to the Integrity Commissioner—obviously we see things differently.

We in opposition have received many communications. I know that I certainly have and my colleagues have—e-mail, phone, people stopping us on the street. I think one issue that has particularly offended taxpayers is the scandalous spending at eHealth. It was certainly an issue that confronted me time and time again this summer. I remember hearing from one elderly female pensioner how upset she was because she was on a fixed income and she was quite disappointed to learn about these consultants who were spending \$1,000 a day and then charging her for their muffin and coffee.

I had another gentleman come in to see me and he was 82 years old. He insisted a phone call wasn't going to do. He came in to my office and he said, "I've never, ever before felt I had to talk to a member of federal or provincial Parliament." He said, "Mrs. Witmer, I am so upset with this spending and this lack of accountability at the government levels and what I've seen with the McGuinty government. I just want you to know how upset I am and I hope that you'll take the message back. So that's why I'm here."

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Jim Wilson):** It being past 10:15 of the clock, this House stands in recess until 10:30, at which time we'll have question period.

*The House recessed from 1017 to 1030.*

## INTRODUCTION OF VISITORS

**Ms. Sophia Aggelonitis:** On behalf of page Nicole Lachapelle and myself, I'd like to welcome to the House Nicole's parents, Mary and Pat Lachapelle, and Nicole's uncle and aunt, Murray and Bonnie Ringrose.



**The Speaker (Hon. Steve Peters):** On behalf of the member from Guelph and page Kaitlin Wagner, I'd like to welcome her mother, Johanna Wagner, and her father, Glenn Wagner, to Queen's Park today.

On behalf of the member from Mississauga South and page Jacob van Wassemaer, we'd like to welcome his father, Philip; his grandmother, Wanda; and his grandfather, Floris, to Queen's Park today as well.

Welcome to all of our guests.

## ORAL QUESTIONS

### ONTARIO LOTTERY AND GAMING CORP.

**Mr. Norm Miller:** My question is for the Minister of Finance on his role in the summer of scandal. Kelly McDougald's notice of claim says Minister Duncan referred to the expenses of OLG and the Windsor Energy Centre as "boils that need to be lanced."

Minister, we know about the abuse that went on with expenses, but why does the minister call the Windsor Energy Centre a "boil that needs to be lanced"?

**Hon. Dwight Duncan:** I'd like to comment on the Windsor Energy Centre, but again, it's a matter that OLG is being sued over, so it makes it very difficult for me to comment on that. There are a number of lawsuits and a number of police investigations going on. What I'm focused on and what my predecessors have been focused on is getting this thing right and making sure that taxpayers have the confidence to know that the proceeds that we derive from OLG, which we invest in hospitals, in schools, in all of the important programs and services we offer—that we are maximizing that asset.

Unfortunately, again, this is a matter that is subject to yet another lawsuit, among other lawsuits and police investigations. There was an interesting report on The National last night. The point is, we are taking action. We are taking action to improve accountability—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mr. Norm Miller:** Again to the Minister of Finance: Minister, in 2005 a \$400-million expansion of the OLG casino in Windsor was announced. Halfway through construction, someone figured out that there wasn't enough power in Windsor to supply the casino expansion. The RFP for the energy centre wasn't issued until 19 months into development of the casino project.

Minister, how do you get halfway through construction of a \$400-million project before realizing you won't be able to turn on the lights?

**Hon. Dwight Duncan:** I think those are legitimate questions and they are subject to a lawsuit between the OLG and the contractor. I would submit that it is difficult for me to respond to all of these lawsuits that are going on—no question—other than to improve accountability, to improve access to information on these organizations,

to ensure that we have the operation going as strongly as possible. We have brought forward measures. Will that member and his party support them? It's difficult, I say to my colleague and friend, to comment on all of these legal matters, other than to take the steps we're taking to ensure that these sorts of things never, ever happen again.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Norm Miller:** Again to the Minister of Finance: Earlier this week, the Premier also made a show of what he says is a commitment to transparency. Let's put that commitment to the test today. Members of this House would like Minister Duncan to explain where the capital for the energy centre came from and where it shows up on the books. For now, will the minister at least say how many millions the province has put into the energy centre project?

**Hon. Dwight Duncan:** Again, I say to my colleague opposite that this is a matter of yet another lawsuit. It's difficult for me to comment on that. It's another among a number of lawsuits that have been widely reported in the media. I can't comment with respect to that other than to say this government has taken the steps, over the course of the last number of years, to correct the challenges in that organization. We will continue to take steps in that regard. We will have more to say about the composition of the board, the senior executive. We have to give Ontarians greater assurance that their assets are being properly managed. We are up to that challenge and we've brought forward legislation that will help us with that. My hope is that the member and his party will vote for it and will help us make this organization work better for all Ontarians.

### ONTARIO LOTTERY AND GAMING CORP.

**Mr. Peter Shurman:** My question is also for the Minister of Finance. The Windsor Energy Centre is yet another example of the Liberals winging it as they go. A hastily arranged news release announced it, there was little about it in planning or budget documents and, according to a spokesperson for the builder and operator of the energy centre, OLG and the McGuinty Liberals' mismanagement cost the taxpayers of Ontario \$30 million for the Windsor Energy Centre alone. What else are we on the hook for? Will the minister open the books?

**Hon. Dwight Duncan:** I would love to be able to talk about this. I think that there are legitimate questions around this. We are in front of the courts, among other lawsuits that have been brought against the OLG. We are moving to ensure that taxpayers have the greatest opportunity to be assured that their assets are being properly managed. Our goal throughout has been to provide transparency and clarity on these issues. We are moving appropriately. We are responding, as OLG has been, to a number of lawsuits and police investigations that are going on there. I'm glad you're asking these questions because it points to the need to do the things that we have



done to give taxpayers greater assurances that their assets are properly managed.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Peter Shurman:** A lot of this goes well beyond any lawsuits. Again for the minister: According to the Windsor Star from August 27, OLG was supposed to have an exclusive operator of the energy centre in place by now. Nothing's been announced and I'm sure the second turnover of the board will mean no new operator will be found any time soon. In the interim, who owns the energy centre? If it's OLG, then why is a gaming corporation running a power plant?

**Hon. Dwight Duncan:** The energy centre continues to operate. The member will know that OLG was successful in blocking an injunction last week. I think those are legitimate questions, I think they're important questions and I think they are encapsulated in the lawsuit that has been brought by the contractor. The energy centre continues to operate.

There is a dispute as to how OLG has managed this. OLG is responding through the legal channels. It's difficult for me to comment other than to say that the kinds of steps we're taking to improve transparency and accountability—I'm surprised that the member and his caucus have not spoken out in favour of them, have not said that this kind of action is appropriate and the right steps to take.

There have been challenges at OLG; they've been going on. Our government has responded on a—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Peter Shurman:** Again for the minister: Under the request for proposal, the successful bidder was to design, build, own and operate the project. The back end of the deal appears to have fallen through because the developer is suing, as the minister points out. If the first boil was lanced by firing the CEO and making the Integrity Commissioner accountable for expenses, how will Minister Duncan lance this one?

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**Hon. Dwight Duncan:** Again, it's difficult for me to speak on a matter that's before the courts. First of all, the challenges that we are faced with at OLG we are responding to where we can through improved accountability, improved transparency. We are in the process of appointing a new board and we look forward to that new board having a look at these issues.

OLG continues to pursue the proper legal avenues to respond to these very serious issues. I concur with the member, absolutely, that there are serious issues and I want to make sure that taxpayers' interests are protected. That's why the Premier has taken the steps he has. That's why this government has taken the steps it has over the course of the last four years. Now we're taking further steps to give taxpayers greater assurance, greater accountability, not just at OLG but right across—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## FREEDOM OF INFORMATION

**Ms. Andrea Horwath:** My question is to the Minister of Finance. Can the minister confirm that political staff in his office and the Premier's office vet freedom-of-information requests sent to government agencies like the Ontario Lottery and Gaming Corp.?

**Hon. Dwight Duncan:** No, because we don't do that. What the Information and Privacy Commissioner has said about this is, "There is a recognition that Cabinet Office's issues management process is designed to not interfere with the process of FOI requests within the time limits specified in the act, and that the process is designed as a 'heads-up' and not a 'sign off'.... A process designed to allow Cabinet Office and individual ministers' offices to prepare for media or other reaction to the release of documents on a particular date is acceptable."

That's the Information and Privacy Commissioner. It's the appropriate process and one that we have followed very carefully.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** Yesterday, the Premier would not answer the question about the whereabouts of his assistant chief of staff on a particular day in August, as we were waiting with bated breath for the release of FOI documents. He was either there or he wasn't there. He was either there interfering with the integrity of the FOI process in a desperate attempt to manage their way out of another expense scandal, or he wasn't there. Which is it?

**Hon. Dwight Duncan:** We followed the process that's been outlined by the privacy commissioner, as well as the legislation; it's quite appropriate.

I am proud that this government brought freedom of information to Hydro and OPG. I'm proud of the initiatives the Premier has taken with respect to enhanced accountability, enhanced transparency. So we will continue to provide greater transparency, greater accountability, so that taxpayers will know that their assets are being well managed, that in fact where challenges do arise, they are responded to in a timely, responsible and appropriate fashion.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** FOIs, as you know, are the public's information, not the personal property of the Liberal Party of Ontario. Freedom-of-information laws are supposed to prevent politicians from hiding information from the public, not give them a chance to sanitize and scrutinize the facts before they're released.

Can the minister confirm that at this very moment in time the Premier's spin doctors aren't going through our freedom-of-information requests?

**Hon. Dwight Duncan:** We follow the appropriate steps under freedom of information. My own view on these matters is that we should be following the rules. We are. That's what the privacy commissioner has said. I remind the member opposite that that same privacy commissioner has pointed out that we have a 94% compliance rate, and we always strive to do even better than



that, even on these very large ones. The OLG expense thing, I think, involved 10,000 pages. So yes, we do move as quickly as we can to get that information to the public. No government in Ontario has a better track record at transparency and accountability than the McGuinty Liberal government.

### TAXATION

**Ms. Andrea Horwath:** This question is again to the Minister of Finance. The government has spent the week desperately defending their HST scheme, but with each passing day cabinet ministers look like the last passengers on a sinking ship. Now we learn that the Minister of Finance and his staff are threatening critics of the HST in an attempt to shut them up. Today's *Globe* says that the minister will release a report critiquing the mutual fund industry—but he'll withhold it, on the other hand, if the industry keeps quiet about the HST. Does the minister think that political blackmail is appropriate behaviour?

**Hon. Dwight Duncan:** It's interesting how the leader of the third party will state as fact anonymous sources with false allegations—completely false.

I remind the member opposite what I said on Tuesday, which was widely reported: We continue to meet with the mutual fund industry on the implementation of the HST. I have myself met with them on two occasions. There are a number of transitional issues associated with the mutual fund industry. They've had a number of issues with the GST over a number of years that I think are legitimate. We are attempting to work with the federal government, the government of British Columbia and the industry itself to try to fix some of those rules that have caused them challenges over the years, and I look forward to continuing to work with them and meet with them. They are an important and—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Ms. Andrea Horwath:** The government claims that the HST is going to create jobs, but the Ontario Chamber of Commerce says that it's going to kill as many as 40,000 new jobs a year. The Premier insists that he has the support of his federal leader, but Michael Ignatieff wants nothing to do with the "Harper sales tax." The government says that the scheme is good for business, but his Minister of Finance has been reduced to threatening business so that they won't speak out. Does the minister think it is appropriate to base the release of a government report on whether or not a particular business sector supports his HST scheme?

**Hon. Dwight Duncan:** We continue to work with the industry. It's an important industry. You know, from time to time there are anonymous people who say false things. I can't respond to that. It's very difficult.

I will repeat what I said to the industry in two meetings I've had with them. I will repeat what was widely reported in the *Globe* and *Mail* on Tuesday. There are significant issues for that industry as we move to the harmonized tax. They have had significant challenges

with the GST over a number of years. We would like to be able to resolve those longer-term issues, recognizing we are proceeding with the HST and recognizing that it is a policy that will create jobs. It will help Ontario get through into the next generation of growth.

I look forward to continuing to work not just with that industry, but a variety of industries. We have successfully resolved some issues the housing sector had, and we have more work to do before implementation.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** This is about the government trying to hold back a report to get support for the HST. It's not about how many times this minister has met with the mutual fund industry.

The government keeps trying to sell the scheme, but people know a bad deal when they see one. People want a government to make life more affordable for them; the HST is going to add at least \$600 a year in new costs for the people of this province. People want the government to take action on jobs, yet the HST will stifle job growth—as many as 40,000 new jobs a year, as quoted by the Ontario Chamber of Commerce. People want their government to be upfront with them. When will the government stop ignoring the people of this province, who are telling you to back away from plans and cancel your HST, this unfair scheme that's going to hurt people from one end of the province to the other?

**Hon. Dwight Duncan:** Well, first of all, I don't think my colleague opposite is speaking entirely credibly on this issue. Let me say what now two chairs and presidents of the Canadian Manufacturers and Exporters say: "It is the ... most important step that can be taken to boost the provincial economy and create" jobs "in the future."

Speaking of NDP credibility, I've just been handed an e-mail that went from the campaign manager for the St. Paul's by-election, Matias de Dovitiis, to a constituent, which said that the HST would be revenue-neutral. That party's been saying that this is a big revenue grab. We'll be putting this out for all Ontarians to see. This is about credibility—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

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### ONTARIO LOTTERY AND GAMING CORP.

**Mr. John Yakabuski:** My question is for the Minister of Energy. Minister, the successful bidder for the Windsor Energy Centre won the right to own and operate the centre to power the casino. OLG is paying the company to operate the centre for them, but OLG appears to still own it. Power generation is regulated to ensure public safety. OLG has no mandate or expertise in power generation. Why is it being allowed to run a power company?

**Hon. George Smitherman:** First and foremost is to acknowledge what has been discussed already on the floor of this Legislature, which is that the developer of



the facility has obviously taken some legal action, and we'll have to wait for the courts to resolve those matters. In the meantime, I can tell the honourable member that the facility is operating with appropriate staff on hand to be able to provide those responsibilities and in a fashion which is consistent with the necessity of appropriate protections for the public.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. John Yakabuski:** Operator by morning, blackjack dealer by evening.

Again for the minister: To solve your problems with accountability for expenses at OLG, the Premier fired the CEO. The incoming CEO inherits a power company when they thought they were dealing with gaming. Owners are the ones who are accountable for meeting regulatory standards. The minister once had the portfolio for OLG. Is he knowingly exposing the public to risk by allowing a casino to run a power station?

**Hon. George Smitherman:** Last night I had the opportunity to witness a gentleman who's a politician sing the national anthem, and I recognized that it is possible to be multi-talented—and I say that with some compliment to his skill in that regard. I take the point that he has made. He doesn't view an organization in its breadth. This is a big organization that has large and substantial facilities, and of course associated with the operation of big facilities are included the operation of those things which provide power and electricity and the like. We have every confidence that the facility is being operated in a fashion consistent with the necessary protections for the natural environment and for human health.

#### PRIVATE CAREER COLLEGES

**Mr. Rosario Marchese:** A question to the Deputy Premier: This morning, the Toronto Star launched an investigative series into private career colleges. Many unlicensed schools charge students a lot of money, provide them with bogus diplomas and leave students without the knowledge or skills they need. When it comes to the world of health care, like a personal support worker, this means that Ontarians are vulnerable to inadequate and potentially dangerous care. Can the Deputy Premier explain why there is no monitoring, no oversight, no control, and why there are no safeguards and no penalties on those unscrupulous operators?

**Hon. George Smitherman:** In point of fact, the honourable member is just plain wrong. This Legislature passed an act in 2005 which does provide the Ministry of Training, Colleges and Universities the capacity to address challenges that are known in private career colleges. That's exactly what has occurred in this circumstance. We do agree with the honourable member that as it relates to personal support workers, who are crucial in the provision of loving care to people across the province, these are important matters. But it's important to acknowledge that the efforts that have been taken by the ministry are possible because of the passage by this Legislature and this government of a bill in 2005.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Rosario Marchese:** The Deputy Premier is absolutely wrong, and the Ombudsman tells him so, and not just tells him so but tells his whole government that that is the case. I paraphrase the Ombudsman when he says that through the ministry's inattention, indifference and dereliction, the ministry is creating an environment in which people are becoming easy prey to unscrupulous operators.

The slap-on-the-wrist approach is simply ineffective and it's not working. When will Ontarians see decisive action on this matter?

**Hon. George Smitherman:** Firstly, I really wonder if it's appropriate that the honourable member chooses to offer a quote as a paraphrase, but the real thing that he misses the mark on is that he says he offers a quote that says there was no action taken; he says there's no capacity for decisive action. We shut them down.

#### TAXATION

**Mrs. Carol Mitchell:** My question is for the Minister of Revenue. Small business, construction and farming are large employers and are an important part of the cultural identity of Huron-Bruce. These groups have been coming to me over the summer with questions regarding the harmonized sales tax. They are interested in understanding what the HST's impact will be on their businesses. In particular, they are interested in input tax credits and how they will work. Can you explain how input tax credits will work for the businesses in Huron-Bruce?

**Hon. John Wilkinson:** I want to thank my friend for the question. Businesses that deal with the GST today know that when they charge the GST, they remit that to the federal government, but they retain the GST that they have paid on the goods and services they have acquired to make a good. But when it comes to our antiquated retail sales tax system, they charge the PST and send it to the government with no credit whatsoever for the taxes they've paid.

Under our new system, when we harmonize our sales tax with the federal government, businesses will charge the HST but be able to retain all of the HST that they have paid in creating a product or a service. That will amount to some \$4.3 billion a year on top of half a billion dollars a year in savings to them from only having to administer one tax to one government instead of having to administer two taxes to two governments.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Carol Mitchell:** I've been told that the harmonized sales tax is going to restrict investment. People are feeling the effects of a global economic slowdown, and no one wants to be in a situation where they are dependent on the government to provide for their family. I think there's a recognition that something in our economy is not working, but people are asking if now is the time to fix it and wondering if a harmonized sales tax is going to help. At times like this, we all ask what the effects of tax relief for businesses mean, versus other investments.



Minister, what do input tax credit savings for businesses mean for our economy and for people who are worried about work today?

**Hon. John Wilkinson:** I want to thank my colleague for the question. We're the only jurisdiction in the world that exports 80% of what we make but still taxes the inputs that are required to make the very things that we sell to the world. It's those sales that lead to the high quality of life that we have right here in Ontario. In the 21st century, our current tax system is a hindrance to that. That's why it's important for us to reform our tax system, drag it out of the 20th century—a system that was created in 1961—and move it into the 21st century so that we can compete in the 21st century. That allows our businesses to hire more people, invest more, sell more. That's what we need in this province: We need more people back to work.

I am convinced, and those of us on this side of the House understand, how important it is that in the 21st century we give our businesses a 21st-century, modern tax system—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### TAXATION

**Ms. Lisa MacLeod:** I appreciate the opportunity to ask another question of the Minister of Finance. I, of course, want to ask him about the 21st-century taxation that they're going to bring in.

A pattern is emerging on how this government deals with problems. We get PR schemes that start with denial, scapegoating, and then ministers who will say absolutely anything to sell a plan that isn't credible.

The public is against the HST. Now members of the mutual fund industry are coming forward and telling us that the Minister of Finance will say anything to push the tax. In fact, they're telling us that they're being threatened by the minister. I don't believe for a second that those are false allegations, because the track record of this minister would suggest otherwise.

We know the HST is a bad deal for Ontario. Is it so bad that the Minister of Finance has to use intimidation to sell it?

**Hon. Dwight Duncan:** I will re-emphasize what—I can't respond to false allegations by anonymous sources. I will say what I have done before. I've met with the leaders of the industry on two occasions, and I will likely meet with them again.

There are a number of transitional issues associated; there are a number of GST issues that go back a long way with that particular industry. We are attempting—

**Hon. Gerry Phillips:** To work with them, like housing.

**Hon. Dwight Duncan:** We are attempting to work with them, as we did with the housing industry, my colleague reminds me, to resolve those transitional issues. We have a period of time left before implementation of this particular policy and we will continue to meet with

them and we welcome the opportunity to work with that industry.

1100

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Lisa MacLeod:** Again, I don't believe these are baseless allegations, nor do I believe they're false, having spoken with the industry several times myself. Mutual funds are a major source of income for many seniors and retirees. The mutual fund industry is expressing legitimate concern about the impact of the HST on the people that they serve. A recent Mackenzie Financial report estimates that the cost of the HST for a \$100,000 portfolio will be almost \$2,500 over the course of 10 years, and on larger portfolios that will be much more. Your 8% tax takes money away from seniors and people saving for retirement.

It is time to stop the intimidation. Will the minister listen to all those affected, including the mutual fund industry, and scrap the HST?

**Hon. Leona Dombrowsky:** What's Tim going to do about it?

**Hon. Dwight Duncan:** I wonder if Tim Hudak will do that. If I understand the member properly, she has asked if we will scrap the HST. No, we won't. It is the right policy for the times; Mike Harris has even endorsed it, Jim Flaherty, a lot of really prominent Conservatives—and Mini Mike over there. I'll try to keep my tone and tenor down. No, to the member, we won't scrap it. I guess my question to you and Mr. Hudak is, will you?

#### FIRE SAFETY

**Mr. Paul Miller:** My question is to the minister responsible for seniors. In the last year there have been a number of very close calls and two tragic deaths in Ontario's retirement homes because of sprinkler systems that are not mandatory. If it weren't for the swift actions of firefighters and a dose of good luck, we would have seen even greater tragedy in these retirement homes. But these close calls and tragedy could have been prevented if your government ensured that sprinkler systems were a requirement of every retirement home in this province. Why has this government failed to ensure the basic safety of our most vulnerable citizens?

**Hon. M. Aileen Carroll:** I hesitate to use that age-old reference of disagreeing with the premise, but I do indeed disagree with the premise of my honourable colleague's question. We're doing a great deal to make sure that our seniors in this province live in safety, live in healthy environments. We're bringing forward legislation that will regulate, in time, the houses in which they dwell. I work closely with ministers who are under the onus of making sure that fire regulations are in place. They are protected by that aspect. Also, on the health provisions regarding food, regarding all of the legislation that deals with where they live, I work with the health minister, who is bringing in tremendous initiatives and aging at home and all of what's available to them on the health side, on the safety side, on the education and on the—



**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Paul Miller:** I'm not sure the minister understands the serious consequences of failing to make sprinkler systems mandatory in retirement homes. In April 2008, by the quick and efficient actions of retirement home staff and a stroke of extremely good luck, all residents of the Rowanwood Retirement Residence in Huntsville escaped injury in a horrific fire that completely destroyed the home. In Mississauga in 1995, eight seniors died because of a fire in their retirement home, and in January of this year, two seniors died in a retirement home fire in Orillia. After each of these tragedies, firefighters recommended mandatory sprinklers in retirement homes. How many more deaths and more calls will it take to get this government to finally legislate mandatory sprinkler and fire systems for each and every retirement home in this province?

**Hon. M. Aileen Carroll:** Indeed, I don't question whether or not sprinklers save lives and protect against property damage; that is indeed true. Also I'm pleased to advise the House that effective April 1, 2010, all high-rise residential buildings over three stories will require fire sprinkler systems. We are making our buildings safer here in Ontario, and these changes that are being brought forward will harmonize Ontario's building code with the National Building Code.

With respect to expanding sprinkler requirements to other buildings and to other occupancies, my colleague has asked the Ontario fire marshal to present all options available for further improving fire safety, and he is indeed, as is the government, awaiting that advice.

#### ELDER ABUSE

**Mr. Wayne Arthurs:** My question is also for the minister responsible for seniors.

Each of us in this place has a significant number of elderly persons within our ridings. Minister, elder abuse has become a significant public health and human rights issue around the world and particularly here in Ontario. It's estimated that between 65,000 and 115,000 seniors in this province are subject to some form of abuse or neglect, but even one abused elder is one too many.

Over the last few years, the government, through Ontario's strategy to combat elder abuse, has provided funding to help protect Ontario's seniors from abuse. Unfortunately, I understand the funding of this strategy expired this year.

Can the minister explain what the government is doing to protect Ontario's seniors from elder abuse now that the funding has ended?

**Hon. M. Aileen Carroll:** I thank my honourable colleague for this question. It is indeed a segue to what I was saying earlier: that the dignity and safety of our seniors is something to which we attach the highest priority.

Protecting our seniors is indeed a priority, and that's why, for the first time in the province's history, our government is investing \$900,000 in new annual permanent funding to Ontario's strategy to combat elder abuse. The

strategy will help our partner, the Ontario Network for the Prevention of Elder Abuse, continue this fight. I just recently attended the federal, provincial and territorial meeting in Edmonton last week of all ministers responsible for seniors, and of course Ontario is the only province to come forward with that kind of permanent, stable, core funding, and it was really quite well received and somewhat with awe—

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Wayne Arthurs:** Minister, thank you for that particular information. Seniors in my riding and throughout the province will certainly be pleased to hear that the government is taking particular action to fight elder abuse.

Many experts report that elder abuse is under-reported because seniors are afraid or ashamed to come forward. Seniors are also frightened to report the abuse because they do not want to reveal their identity for fear of punishment by their abuser. Seniors at risk of abuse must be able to receive help confidentially, as well as support at times of need, both day and night.

Would the minister tell us what the government is doing to provide Ontario seniors with around-the-clock support when they are threatened, bullied or being abused?

**Hon. M. Aileen Carroll:** Indeed, it is a dilemma, just as my colleague has described. It is a situation where people are fearful or ashamed to come forward. The size of this dilemma is one that we are extremely concerned about. By the year 2031, to let the House know, one fifth of the population of this province will be over the age of 65, so getting these programs up and running for those who are at risk now and for those who may be at risk in a few years' time is extremely important.

We have launched a seniors' safety helpline. It is available 24 hours a day, seven days a week, and what I think is very important for all of us to note is that it's available in 154 languages, because we cry for help in all of the cultural communities and in all of the languages that make us Ontario today, and we're there for every one of those seniors.

#### GOVERNMENT SERVICES

**Mr. Robert W. Runciman:** My question is to the Minister of Government Services, and it's about his ill-considered decision to close private licence-issuing offices in the province.

The minister says this is a consumer-friendly move, but the reality is that he has absolutely no idea. His ministry didn't evaluate the efficiency and effectiveness of individual offices. They just came up with a blanket criteria that in many, many instances will result in less efficient, more costly and frustrating service. If that's not the case, I ask the minister to tell my constituents how the ServiceOntario office in Brockville will provide better service than the private issuer.

1110

**Hon. Harinder S. Takhar:** Let me start by saying we are going to modernize, we are going to streamline



ServiceOntario centres so we can provide enhanced service and better customer service to all Ontarians. By doing so, these are some of the objectives that we have in mind. Number one, all Ontarians will have the services available to them within 10 kilometres. Number two, they will have enhanced customer service. Number three, the private issuers network is an integral part of this whole customer service reorganization and streamlining. Some 60% of all ServiceOntario centres will be private issuers networks, and we will be moving ahead to provide expanded customer service through this new, streamlined ServiceOntario centre. I will be more than pleased to expand on that benefit in the member's riding.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** We didn't really get an answer in terms of better service, and the private issuer invested \$20,000 of their money—not taxpayers' money—in operating their facility just two years ago.

I'll talk about the private issuer in Brockville. They have free, level parking with easy access for the disabled; you're going to be hearing more about that. They're open on Saturdays. The ServiceOntario office in Brockville is on a steep incline, very difficult for the disabled, in the middle of a farmers' market, with no free parking and closed on Saturdays. Minister, this is not a good deal for anyone except those who believe in bigger government. Apparently, you're that guy.

Minister, will you go back to the drawing board, evaluate these offices on an individual basis and ensure that the public and hard-pressed taxpayers are being well served before you proceed with these closures?

**Hon. Harinder S. Takhar:** Let me say how it will benefit Brockville. First, the new service centre is only two kilometres away from the existing service centre. Right now, Brockville residents only get health card services two or three times a month; now, they will get regular services. In the southern region of Ontario, there will be significant increases in health card services, from four to 59 locations.

The member has an issue about the parking, and I understand that issue. I said yesterday in the House to another question that we're going to evaluate these situations. We want to make sure that the services are available at the same standard everywhere where they're available right now. In fact, we want to increase the services available in each of these locations, and I will work with the member to make sure that some of these services stay at the same level as they are available right now.

## BUS TRANSPORTATION

**Ms. Andrea Horwath:** My question is for the Minister of Transportation. Greyhound is threatening to shut down bus services across northwestern Ontario and Manitoba. It's a very serious issue and one people in northwestern Ontario are extremely concerned about. Tens of thousands of people living in small towns, villages and First Nations' communities in northwestern

Ontario rely on Greyhound bus services for basic transportation to get them back and forth for medical appointments, particularly, to places like Thunder Bay, Sault Ste. Marie and Winnipeg.

Yesterday, the Manitoba government met with Greyhound officials and found interim solutions to sustain bus services in that province. My question is, what has the McGuinty government done to sustain Greyhound bus services in northwestern Ontario?

**Hon. James J. Bradley:** First of all, I recognize how important this is to northwestern Ontario, and I know that the former leader of the NDP said the following about it. He said that Greyhound is crying poor in Manitoba even though they have just built a new terminal at the Winnipeg airport, and he's very knowledgeable about this: "I have no doubt that they're probably losing money in some places, but this is more than anything else a bargaining tactic." That's from a member who represents there, and knows it better than probably most of us would because it affects his riding.

We are concerned about this. What has happened in previous instances is that when Greyhound has withdrawn its services, other companies have moved in to provide services. That is one of the solutions that is being looked at very carefully at this time. Greyhound is obligated to seek others to provide this kind of service to the people of northwestern—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Ms. Andrea Horwath:** Greyhound has been cutting bus services and bus frequency in northwestern Ontario over the past six years and the McGuinty government has been missing in action. People from Wawa to Rainy River, Hearst to Kenora, have seen their bus services to Thunder Bay, Winnipeg and Sault Ste. Marie either discontinued or diminished, with no alternative air or rail services to rely on afterwards. Now, Greyhound is threatening more cuts and all this minister says is that he hopes another carrier will be there to step in and provide services. That is not good enough.

When will the McGuinty government finally do something to sustain quality bus services across northwestern Ontario where the people desperately need them?

**Hon. James J. Bradley:** In the context of what the former leader of the NDP had to say about the company and what John Baird, the federal minister, said, Greyhound is a Texas-based multinational, and their actions are heavy-handed and clearly an attempt to bully the provinces of Manitoba and Ontario. But I am optimistic that they will provide. The past spring, Greyhound ended its bus service between Hearst and Thunder Bay. Caribou Coach Transportation Co. is now providing the bus service between Hearst and Thunder Bay. Last summer Greyhound ended its bus service between Fort Frances and Thunder Bay. Caribou Coach Transportation Co. is now providing bus service between Fort Frances and Thunder Bay.

I understand there are already two companies—one out of Ontario and one out of Manitoba—that have ex-



pressed interest in these routes, as reported in the *Belleville Intelligencer* on September 14. So—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### WORKPLACE SAFETY

**Ms. Laurel C. Broten:** My question is for the minister responsible for women's issues. The workplace murders of Lori Dupont and Theresa Vince have taught us all some very tough lessons on the importance of taking serious action to respond to harassment and violence in the workplace. We know that domestic violence follows women into the workplace and when it does, it costs us all in ways too many to count.

We also know that coworkers and employers are in a unique position to identify the signs of abuse and that knowing how to help can be the difference between life and death.

What is the Ontario Women's Directorate doing to give more employers and coworkers access to resources and training on how to recognize and respond to domestic violence in the workplace so that more women can be protected?

**Hon. Deborah Matthews:** Thank you to the member for her question and for her personal dedication and commitment to this issue.

No one can afford to be a bystander when it comes to domestic violence. The costs both personal and economic are just too high. That's why I'm very happy to share the news with the Legislature that we are investing an additional \$620,000 in the innovative neighbours, friends and families public education campaign. This funding is going to the Centre for Research and Education on Violence Against Women and Children, located in London, to expand neighbours, friends and families into the workplace. This campaign is already empowering Ontarians in more than 170 communities with the skills they need to help at-risk women, their children and the men who abuse.

I'm very proud that the Ontario public service in the southwestern Ontario region has been one of the first workplaces to embrace neighbours, friends and families, with more than 2,500 public servants already educated and trained.

Community-based campaigns like neighbours, friends and families are a vitally important component in our on-going efforts to make—

**The Speaker (Hon. Steve Peters):** Thank you. Just stop the clock for a second. I will remind the members that we are going to be taking a comprehensive review of questions that have been asked over a number of years. Much of what I was hearing in your response there is much more suited to and sounds more like a ministerial statement.

Supplementary.

**Ms. Laurel C. Broten:** This is an issue that I have advocated on for many years, and over the past few years, violence and harassment have been revealed as

very serious issues in workplaces across Ontario. In fact, a recent Statistics Canada study suggests that one third of nurses working in hospitals or long-term-care facilities were physically abused by patients over the course of a year. Both physical violence and harassment can have tremendous consequences for workers, families and society as a whole.

I would ask the minister to indicate what our government is going to do with respect to new legislation to require employers to put in place policies and programs to address workplace violence and harassment to ensure that women can be better protected in their workplaces and that no more lives need to be tragically lost.

1120

**Hon. Deborah Matthews:** To the Minister of Labour.

**Hon. Peter Fonseca:** I want to thank the member for Etobicoke-Lakeshore for her advocacy on this very important issue. We've listened to the concerns of our stakeholders and those who participated in our consultation last year. If passed, this proposed legislation would clarify the roles of workplace parties in protecting workers from workplace violence and harassment, raise awareness and understanding of workplace violence and harassment as an issue here in Ontario and build on the Ministry of Labour's existing operational approach to workplace violence. It would also reduce workplace injury and illness by making workplace violence an element of the ministry's Safe at Work Ontario strategy. I'm proud to say that this government is moving forward to address workplace violence and harassment here in Ontario.

### GOVERNMENT SERVICES

**Mr. Robert Bailey:** My question is to the Minister of Government Services. Minister, recently you decided that the Sarnia Lambton Chamber of Commerce would no longer hold the contract for driver's licence issuing in Sarnia. The chamber has delivered this service efficiently for almost 100 years, and because of your government's actions, they are now forced to lay off staff.

Minister, this is despite the chamber being documented as one of the best offices following your own ServiceOntario audits. Why, in a recession, would you force the private sector to lay off workers and diminish services?

**Hon. Harinder S. Takhar:** I want to thank the member for asking the question. I have answered this question so many times in the House, but let me repeat this again.

This is not about a reduction in service; this is about increasing service, it's about streamlining, it's been modernizing. By doing so, we will provide health card services where now only the drivers' licences and the vehicle licences are being provided. We want to make sure that the people have more options available to them. We will provide those services on the Internet.

This will be about improving public service, and the hours will be available to suit the people. They can even make appointments to come to the offices now. So it's all



about improving services. I'm sure the residents of Sarnia will have better service available to them once we move ahead with the reorganization that we have planned.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert Bailey:** My supplementary is to the same minister. Minister, I've heard all those buzzwords before, we've heard them repeated in the House, and we're just not buying it.

The Sarnia licensing office currently handles over 500 transactions per day; that's over 100,000 per year. I believe that the reality of this may have been underestimated by ServiceOntario. I don't believe that they can handle the additional transactions that will be expected, let alone deal with the parking nightmare. The current office has all kinds of parking on the level. Going to a mall with underground parking just won't be easy. The parking nightmare will be added at the Bayside mall.

Minister, again, on behalf of the chamber of commerce and the residents that will be affected, I ask you, will you please commit to reviewing your plan to kill private sector jobs in Sarnia-Lambton?

**Hon. Harinder S. Takhar:** The member said that his supplementary is the same as the original question. I guess my answer is going to be the same as the original answer.

So the answer is that this is about improving service, it's about streamlining, it's about modernizing. But I hear what some of your concerns are, and I will work with you. I have directed my officials to look at each and every situation, and if there are concerns, we will find a way to address some of those concerns.

## LABOUR RELATIONS

**M<sup>me</sup> France G  linas:** Ma question est pour le premier ministre par int  rim. On Saturday at 11 o'clock, Sudbury will be host to labour leaders from every corner of the globe. There will be people from Mexico, the United Kingdom, Switzerland, Brazil, the United States and way more. They will meet in Sudbury to raise safety standards, to talk about enhancing living conditions for workers internationally. It will be a demonstration that will be supporting our workers, our businesses, our economy and our community. I'm really proud to say that my leader, Andrea Horwath, will be there. Everyone is invited and everyone is welcome.

My question is simple: Which cabinet minister will be representing the provincial government at this international historic event taking place in Ontario?

**Hon. George Smitherman:** I'm very pleased to offer strong encouragement and congratulations to the community of Sudbury. It's yet another example of what will be occurring all across the breadth of the province of Ontario this weekend and every weekend, which is the extraordinary opportunity to engage people from around the world in dialogue about a variety of items.

I am not aware whether my schedule, or that of my colleagues, is accommodating this event, but if the honourable member would like to send a note over, I'd be

happy to do so. I just want to let her know that I'm looking forward to my Monday visit to your community and my visit to Cambrian College.

**The Speaker (Hon. Steve Peters):** Supplementary?

**M<sup>me</sup> France G  linas:** All of the labour leaders who are coming to Sudbury are facing similar issues around the world. We see multinational giants buying up more and more natural resources, mining etc., worldwide, and it's becoming more and more concentrated in fewer hands.

Workers in Sudbury—United Steelworkers unit 6500 is on strike. Sudbury and Nickel Belt have been on strike before. People in Sudbury know the sacrifices made as a result of labour disputes, but people in the Sudbury region band together and support each other. We support the strikers because their fight is a good fight and it will support our community as a whole.

**The Speaker (Hon. Steve Peters):** Question?

**M<sup>me</sup> France G  linas:** My question again is, how come we don't know who will be representing the province of Ontario's present government at a historic event—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. George Smitherman:** I think that in her talk and promotion of this very fine event, she has made the point exceptionally well that Sudbury and the people of Sudbury already, through the program that has been discussed, have a great opportunity to put their perspective on the record.

All of us have a variety of opportunities, and sometimes those opportunities don't allow us to take advantage of other scheduling opportunities. Nevertheless, we do want to encourage the honourable member on behalf of the government on the successful completion of this conference. We know that those who come from other places will enjoy many things, the dialogue and certainly the community of Sudbury, which I'm very privileged to say I married into two years ago.

## ENDANGERED SPECIES

**Mr. Phil McNeely:** My question is for the Minister of Natural Resources. Climate change is on the minds of many Ontarians and a concern for many constituents. There has been a wide range of scientific reports that have stated that sea ice in the Arctic is vanishing at a record pace and permafrost is thawing.

Climate change will affect many species, but in particular the polar bear. Polar bears are part of the Canadian heritage and are an iconic species. It's clear that climate change is having a direct impact on our polar bear populations.

I understand that the polar bear has now been designated a threatened species in Ontario under the Endangered Species Act. Minister, can you tell us what this designation means for the polar bear?

**Hon. Donna H. Cansfield:** I'd like to thank the member for the question. The member is correct. I did make an announcement that in fact the polar bear has



been redetermined from "at risk" to "threatened." The reason is because—

**Mr. Peter Kormos:** Polar bears watch the legislative channel.

**Hon. James J. Bradley:** Yes, they do.

**The Speaker (Hon. Steve Peters):** The member for Welland.

**Hon. Donna H. Cansfield:** Mr. Speaker, this may not be of particular interest to some individuals, but the fact of the matter is—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Order. I'd like to hear the answer. She's sitting right beside me and I can't hear her.

*Interjections.*

**Hon. Donna H. Cansfield:** Mr. Speaker, would you like me to sit down until there is order? I can keep going.

In fact, an independent group of scientists determined that the polar bear has had its level changed from "at risk" to "threatened." The reason is because of the impact of climate change, primarily on sea ice. What's happened is, the polar bear no longer has the opportunity to do the feeding and reproduction that it has done, and their numbers are threatened.

What difference does this make? It's because in Ontario we have a very unique—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Phil McNeely:** Minister, you mentioned a recovery strategy. The World Wildlife Fund estimates that two thirds of the global population of polar bears is found in Canada. Many of those are found in Ontario's far north, indicating that the Ontario government must step forward to reverse the decline in polar bear populations or risk the extinction of the species.

Minister, can you please be specific in explaining what steps your ministry is taking to protect the polar bear?

**Hon. Donna H. Cansfield:** I realize that members of the NDP government and the opposition are not particularly interested in looking at the issues of the Endangered Species Act. In fact, they voted against it. However, we take this very seriously. The polar bear is part of our ecosystem. They are very unique to Ontario. They are threatened.

We spent a great deal of money and had about 30 years of experience, through Dr. Marty Obbard, to look at this particular species and how we can ensure their recovery. Why is this important? Because the footprint we have here in southern Ontario is changing the life and the habitat of a species in northern Ontario, and it does make a difference.

What can we do when the recovery plan goes through for the species? It's as simple sometimes as turning out our lights.

*Interjections.*

**Hon. Donna H. Cansfield:** I don't know about others who can laugh and joke that we are losing species on a regular basis. To us, it's important here. It's part of our ecosystem.

## DISASTER RELIEF

**Mr. Jim Wilson:** My question is for the Deputy Premier, and you can direct it to whoever you have to direct it to.

As you know, on August 20 we had the terrible tornado that did a great deal of property damage across the province, from Vaughan and Durham, but it also affected the Town of the Blue Mountains. I know your government is aware of the damage to the apple orchards there because two of your ministers, the Minister of Agriculture and the Minister of Natural Resources, have toured the area. Yesterday the Minister of Municipal Affairs declared the area a disaster area.

The local community is setting up its disaster committee. We estimate at this time there is about \$15 million of damage. Much of it won't be covered under crop insurance or Agricorp programs or existing government programs. So my question is: Some of these apple farms, about 15 farms—many of them were completely wiped out. It takes nine years for an apple tree to come back, to be profitable, after it's planted. There's going to be a need for extraordinary assistance, and I'm just wondering if your government is planning on providing that.

**Hon. George Smitherman:** I do want to thank the honourable member for the question. By coincidence, as the honourable member would know, my mother resides at Rural Route 2, Ravenna, which is very, very close to the affected farm properties. Just a few days after this tornado went through, I did witness personally the efforts that were being made to clear the land.

We recognize especially that it is important for the province to reach out and lend assistance to municipalities and those in municipalities who are impacted. I did hear yesterday that the Minister of Municipal Affairs had made such declarations and was involved in making calls to communities.

I will, by way of supplementary, ask the Minister of Agriculture to comment on what efforts her ministry might—

**Interjection:** There is no supplementary at this point.

**Hon. George Smitherman:** Oh. Well, we'll be working with her ministry to ensure that there's recognition that when it comes to things like apple orchards, which take quite a long time to mature and to produce revenue, our policies are appropriate in terms of recognizing these particular concerns. And we'll work with the honourable member on that as well.

**The Speaker (Hon. Steve Peters):** There being no deferred votes, this House stands recessed until 1 p.m.

*The House recessed from 1133 to 1300.*

## INTRODUCTION OF VISITORS

**M<sup>me</sup> France Gélina:** It is my pleasure to introduce people from all over Ontario who are presently sitting in the west members' gallery to raise awareness about



Lyme disease. Some of them are there and some have not quite made it.

We have a Court Steggles, as well as Mary Steggles, Eleanor Johnston, Dwight Lyons, Kari Krogh, Nancy Diklic, Avril Rutherford and Brian Rutherford and Heather Ott. We have Sawyer Anderson—my handwriting is giving me trouble—Julie Demeester, Patti Anderson, Carolyn Charbonneau and Joelle Charbonneau who are here in the members' gallery.

**The Speaker (Hon. Steve Peters):** Welcome.

On behalf of the member from Pickering-Scarborough East and page Megan Fernandez, we'd welcome her father, Manfredo Fernandez, to the gallery and to Queen's Park today. Welcome.

## MEMBERS' STATEMENTS

### ROSH HASHANAH

**Mr. Peter Shurman:** Sundown on September 18 marks the beginning of Rosh Hashanah—translation: the head of the year, known also as the Jewish New Year. It is the first day of the High Holy Days, which conclude with Yom Kippur.

Rosh Hashanah is a day as rich in tradition as it is in meaning. Traditional meals and blessings are a part of every home as we reflect on the year that has gone by and the year that is to come.

Our Jewish tradition calls Rosh Hashanah the "day of creation," a day on which we celebrate the Garden of Eden, the creation of Adam and Eve and, most significantly, the greatness of human potential. It is the day on which the blowing of the shofar, a trumpet made from a ram's horn, heralds the new year and calls on us to atone for our sins in preparation for the coming judgment.

On Rosh Hashanah, families and friends will share apples dipped in honey to symbolize wishes for a sweet new year. Today, I want to take this opportunity to extend the traditional greeting of Shana Tova, a good New Year, to everyone of every faith in the hope that with the coming of this Rosh Hashanah we are all inspired to reach for the greatest heights of human potential and live with forgiveness, respect, generosity and compassion.

Have a sweet and good New Year. Shana Tova Umetukah.

### TAXATION

**Mr. Rosario Marchese:** I want to talk briefly about the meeting I had with the York Quay Neighbourhood Association this past Tuesday because they wanted me to talk about two issues that are important to them. One is the harmonized sales tax and the other one is the amendments that I have made to the Condominium Act, Bill 186.

On the harmonized tax, condominium owners are very concerned. We've been saying this for quite some time, that rates will go up. Condominium fees will go up, and I want to explain how they will go up.

Eighty per cent of condominium fees are connected to services that will be taxed, such as window cleaning, maintenance fees, and the contracting out of any kind of work that needs to be done around these buildings. All of these fees, including legal fees, are going to go up. We estimate, based on numbers given to us by property managers, that \$25 to \$31 or \$32 a month will be added to their condo fees.

This is the same problem that will happen to rental buildings. Rents will go up. Why? Because a lot of what these people have to pay on—maintenance, cleaning of windows and so on—is going to be charged at 8% tax and, therefore, fees will go up.

I'm hoping as well, with respect to the changes that I made to Bill 186, that the justice committee will deal with that shortly.

### ROSH HASHANAH

**Mr. Monte Kwinter:** Tomorrow night at sundown on the first and second day of Tishrei, in the year 5770 of the Jewish calendar, the 10 days of repentance begin with Rosh Hashanah and end with Yom Kippur.

Rosh Hashanah, the Jewish New Year, ends at nightfall on Sunday, September 20, 2009. The origin of Rosh Hashanah is Biblical. It appears in Leviticus 23:23 to 25. It is "a sacred occasion commemorated with loud blasts of the shofar, the ram's horn."

In Talmudic times, Rosh Hashanah, which means the "head of the year," became a celebration of the world's creation and a day of self-examination, repentance and judgment.

On Rosh Hashanah, Jews listen to the blowing of the shofar, or ram's horn, during lengthy prayer services and are reminded that the Lord is King. They eat a festive meal with symbolic food, such as apples and honey, and do no work. After repenting for bad deeds through prayers, they symbolically cast off sins through a solemn ceremony.

Rosh Hashanah is both a solemn and a happy day. Rosh Hashanah is a day of judgment, and is a time for Jews to review the mistakes they made in the past year and to resolve to make improvements in the coming year. It is a time for introspection, asking for forgiveness and praying for a healthy and happy year to come.

Those observing the Jewish New Year are solemn in their repentance but happy in their confidence that God is merciful and good.

The traditional greeting on Rosh Hashanah is to wish everyone a good year, and to all, I say Shana Tova.

### DOCTOR SHORTAGE

**Mr. Jim Wilson:** I rise to bring to the attention of this House a very serious issue concerning the government's



proposed changes to underserved-area and return-of-service programs. These are programs that help our communities attract doctors, and now the McGuinty government wants to take them away through proposals that will cause communities in my riding and across Ontario to lose the only source of government funding that directly supports physician recruitment. The government's proposals will pit north against south and rural against urban, and they will severely hamper doctor recruitment in most of the province.

What the government is proposing is a plan that would use what they call a rurality index to determine whether a community can access physician recruitment funding. The McGuinty government wants us to believe that this new formula will somehow improve the situation while completely ignoring a community's need for doctors.

In my riding, the Ministry of Health and Long-Term Care acknowledges that New Tecumseth, Essa and Adjala-Tosorontio have a shortage of 11 doctors, and yet the government wants to take away every single tool that these communities have to attract new doctors to the area. The situation is no different in Clearview, Wasaga Beach, Springwater, Collingwood and throughout much of Ontario.

To quote Gary Ryan, the president of Stevenson Memorial Hospital in Alliston, in a letter he sent to the minister, he said that doctors "may well go to other provinces or the USA. This would create a further loss of physicians in Ontario."

The proposed changes to the underserved-area and return-of-service programs do nothing to help the one million Ontarians without a family doctor, and the government should stop meddling with these programs.

#### ORLÉANS FAMILY HEALTH HUB

**Mr. Phil McNeely:** Last month, I had the privilege of hosting Premier McGuinty in my riding of Ottawa-Orléans to mark a very important occasion. The Premier announced that \$1 million will be made available to the Montfort Hospital to develop a business plan for the Orléans Family Health Hub. This funding is key to moving the project forward, a project that will improve the lives of each and every member of our community. It is also a signal of the province's clear commitment to seeing the project through to completion.

The Orléans Family Health Hub will be the first of its kind in Ontario and a model for other communities across the province and Canada. The hub will offer day surgery, dialysis, cancer treatment and many other services usually only available at a full-fledged hospital. It will provide exceptional service in both English and French. This world-class facility will house the Orléans urgent care centre and our new family health team, which will be up and running this fall.

This new model of delivery recognizes that people need health services close to home, and the health hub will save the government and the taxpayers money

because these services can be delivered most cost-effectively in the community.

My sincere thanks to everyone involved in the project for their hard work, and to Premier McGuinty and the health ministry for their vision and support.

#### HEALTH CARE

**Mr. Norm Miller:** My riding of Parry Sound-Muskoka has been very fortunate to have the benefit of several nursing stations, including Rosseau, Whitestone and Moose Deer Point. I've long heard from residents about the wonderful care they have received through nursing stations, which have up till now been very successfully managed by the West Parry Sound Health Centre.

There's tremendous community support for our nursing stations. In fact, just recently, Madison Lacey and 16 other participants took part in a walk that raised a total of \$11,100 for the Britt Nursing Station.

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So you can imagine my surprise to hear that the Ministry of Health and Long-Term Care plans on shifting responsibility for Rosseau, Whitestone and Britt nursing stations away from West Parry Sound Health Centre back to the Ministry of Health in Kingston. This government claims to be advocating for integrated health care; however, increasingly we see the reverse happening. Local decision-making is being thwarted and replaced with regional administration that does not have the community's best interests at heart. West Parry Sound Health Centre at one time was considered to be the model of integrated health care in rural Ontario, with responsibility for primary health care, community care access centres, nursing stations, the antivenin depot, long-term-care facilities and ambulance services.

I'm concerned that with this move, Parry Sound district health care will suffer as we lose local decision-making.

#### TORONTO INTERNATIONAL FILM FESTIVAL

**Mr. David Zimmer:** The Toronto International Film Festival, TIFF, ranks among the most prestigious international film festivals in the world. For 10 days, the best in film from around the world is shown right here in Toronto.

The festival has become an international destination for the movie industry. New and established filmmakers present their masterpieces. Every year, the festival sees new and exciting advancements in film arts and is a showcase of technological improvements in filmmaking.

The festival also is a chance for Canada's filmmakers to show their work. The Ministry of Culture is funding the TIFF Bell Lightbox. The government's \$10-million investment in the TIFF Bell Lightbox is an important recognition of the value of Ontario's film industry and the cultural sector as a major economic driver in this



province. As a result of our government's investment, about 1,300 full-time jobs have been created during construction, and it is expected there will be 156 new full-time jobs when the facility opens. Within five years of its opening, it is anticipated that the TIFF Bell Light-box complex will hold over 4,000 events, attract two million visitors annually and generate about \$200 million in economic activity. This centre will serve as the new home of the Toronto International Film Festival.

The efficiency and dedication of the festival's staff and volunteers is largely what makes this happen. The international film festival has earned its longstanding reputation as a leader in the international film community. I'm proud to congratulate it.

### EVENTS IN MISSISSAUGA SOUTH

**Mr. Charles Sousa:** It was another great summer in south Mississauga. We enjoy a number of renowned annual celebrations on our waterfront.

In May, I had the pleasure of welcoming runners of the Mississauga Marathon to our beautiful Lakefront Promenade Park. In June, the Mississauga Waterfront Festival delighted families with entertainment. Young and old alike enjoyed music, rides and lots of home-grown food. Speaking of Ontario foods, I was honoured to cut the ribbon at Port Credit's first ever farmers' market where fresh Ontario produce is being sold. It attracted a lot of visitors and helped support our local economy, as well as our Ontario farmers.

We had a phenomenal Canada Day celebration on the waterfront as well. The annual Paint the Town Red festivities offered the capacity crowd a tremendous combination of great bands and a stunning display of fireworks. In August, the Port Credit BIA hosted its very own Busker Fest, which filled the streets with performers of all kinds, including dancers and magicians.

Finally, this past weekend, we gathered on the waterfront once more to celebrate the Southside Shuffle Blues and Jazz Festival. I had the honour of opening the festival with Mayor McCallion and our colleague the Honourable Peter Fonseca. These great events are just one of the many reasons why Mississauga is becoming known as a great destination spot, attracting tourists from throughout Ontario and across our borders.

I'd like to thank all those organizers, sponsors and volunteers who make these celebrations possible. We had a great summer in south Mississauga, and the dedication of outstanding volunteers is the reason why.

### RAMADAN

**Mr. Yasir Naqvi:** It is my distinct honour to rise in the House this afternoon to commemorate the end of the holy month of Ramadan with Eid-Ul-Fitr, the festival of the fast-breaking.

As Muslims everywhere look for the crescent moon this weekend that marks the end of the ninth month of the Islamic calendar, the sighting will launch the celebration

following a month of fasting, reflection and peace-making. The holy month of Ramadan is one of the most cherished and important traditions in the Islamic faith.

As a time to purify the soul, refocus attention on God and practise self-sacrifice, Muslims around the world and here in Ontario abstain from food, drink and other physical needs from sunrise to sunset. Muslims are called upon to use this period to re-evaluate their lives in light of Islamic values, where we are to make peace with those who have wronged us, strengthen ties with family, friends and community, and do away with the bad habits and temptations of our daily lives. At the end of this period, Eid-Ul-Fitr is a festival of joy and thanksgiving to God for the will and strength to have endured the challenge of the past month and for the gifts and revelations that self-sacrifice has bestowed on the individual and the community. On this day, Muslims will dress in festive or brand new clothing, attend special ceremonies and prayers and visit with friends and family.

On behalf of my colleagues in this House, the government of Ontario and all Ontarians, I wish to convey our warmest regards to the Muslim community on this day of celebration, and it is my hope that those who have observed Ramadan have found peace and refreshed their faith on the day of Eid.

Eid Mubarak.

### PETITIONS

#### DOCTOR SHORTAGE

**Mr. Jim Wilson:** "Whereas the McGuinty government is conducting a review of the province's under-serviced area program (UAP) that will result in numerous communities across rural and small-town Ontario losing financial incentives to recruit and retain much-needed physicians; and

"Whereas financial incentives to attract and keep doctors are essential to providing quality front-line health care services, particularly in communities in rural ridings, such as Simcoe-Grey; and

"Whereas people across Ontario have been forced to pay Dalton McGuinty's now-forgotten health tax since 2004, expecting health care services to be improved rather than cut; and

"Whereas taxpayers deserve good value for their hard-earned money that goes into health care, unlike the wasteful and abusive spending under the McGuinty Liberals' watch at eHealth Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government immediately stop its ill-advised attack on rural health care and on rural communities who need financial incentives to successfully recruit and retain doctors."

I agree with that petition and I'm going to sign it.



### LYME DISEASE

**M<sup>me</sup> France Gélinas:** It is a pleasure and a privilege to present this big petition signed by 1,489 people from all across Ontario, and I am especially pleased to present it in front of my guests in the gallery.

"Whereas the tick-borne illness known as chronic Lyme disease, which mimics many catastrophic illnesses such as multiple sclerosis, Crohn's, Alzheimer's, arthritic diseases, depression, chronic fatigue and fibromyalgia, is increasingly endemic in Canada, but the scientifically validated diagnostic tests and treatment choices are currently not available in Ontario, forcing patients to seek these either in the US or in Europe; and

"Whereas the Canadian Medical Association informed the public, governments and the medical profession in the May 30, 2000, edition of their professional journal that Lyme disease is endemic throughout Canada, particularly in southern Ontario; and

"Whereas the Ontario public health system and the Ontario health insurance plan currently do not fund those specific tests that accurately serve the process of establishing a clinical diagnosis, but only recognize testing procedures known in the medical literature to provide false negatives" 45% to 95% of the time; and

"Whereas physicians practising in Ontario do not receive current and updated information on the incidence of Lyme disease, being unaware that annually some 25,000 new cases are reported in North America, nor do physicians receive training in the diagnosis and treatment of acute or chronic Lyme disease and, therefore, remain unfamiliar with the highly effective protocol developed by the International Lyme and Associated Diseases Society; and

"Whereas the Regulated Health Professions Act of Ontario states, 'It is the duty of the Minister [of Health] to ensure that the health professions are regulated and co-ordinated in the public interest.'

"We, the undersigned, petition the Legislative Assembly of Ontario to request the Minister of Health to direct that the Ontario public health system and OHIP include all currently available and scientifically verified tests for acute and chronic Lyme diagnosis; to do everything necessary to create public awareness of Lyme disease in Ontario; and to have internationally developed diagnostic and successful treatment protocols available to patients and physicians."

I fully support this petition, will affix my name to it, and send it to the clerks' table with page Helen.

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### CEMETERIES

**Mr. Jim Brownell:** I have a petition signed by a number of Ontarians from the Ottawa-Nepean area, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

As I agree with this petition, I shall sign it and send it to the clerks' table with Nicole.

### HOSPITAL FUNDING

**Mr. Norm Miller:** I've had some petitions mailed to me regarding the Burk's Falls health centre. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the Burk's Falls and District Health Centre provides vital health services for residents of Burk's Falls and the Almaguin Highlands of all ages, as well as seasonal residents and tourists; and

"Whereas the health centre helps to reduce demand on the Huntsville hospital emergency room; and

"Whereas the operating budget for Muskoka Algonquin Healthcare is insufficient to meet the growing demand for service in the communities of Muskoka-East Parry Sound; and

"Whereas budget pressures could jeopardize continued operation of the Burk's Falls health centre;

"Now therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government and Minister of Health provide adequate increases in the operating budget of Muskoka Algonquin Healthcare to maintain current health services, including those provided by the Burk's Falls health centre."

I support this petition.

### PENSION PLANS

**Mr. Jim Wilson:** "To the Legislative Assembly of Ontario:

"Whereas several paramedics in Simcoe county had their pensions affected when paramedic services were transferred to the county of Simcoe, as their pensions were not transferred with them from HOOPP and OPTrust to OMERS, meaning they will receive significantly reduced pensions because their transfer did not recognize their years of continuous service; and

"Whereas when these paramedics started with their new employer, the county of Simcoe, their past pensionable years were not recognized because of existing pension legislation; and

"Whereas the government's own Expert Commission on Pensions has recommended that the government move swiftly to address this issue; and

"Whereas the government should recognize this issue as a technicality and not penalize hard-working paramedics;



"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Finance support Simcoe-Grey MPP Jim Wilson's resolution that calls upon the government to address this issue immediately and ensure that any legislation or regulation allows paramedics in Simcoe county who were affected by the divestment of paramedic services in the 1990s and beyond to transfer their pensions to OMERS from HOOPP or OPTrust."

I agree with this petition, and I will sign it.

### HOSPITAL FUNDING

**Mr. Bob Delaney:** I'm pleased to bring to the Legislative Assembly this petition signed by a number of people in northwest Mississauga—my own home community—and particularly from the neighbourhood of Lisgar. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and support this petition, and to send it down with page Carlos.

### SALE OF DOMESTIC WINES AND BEERS

**Mr. Norm Miller:** I have received petitions from the Ontario Korean Businessmen's Association with 2,383 signatures. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario restricts the sale of beer and wine to the LCBO, the Beer Store and a few winery retail stores" and the three large beer companies are owned by multinationals;

"Whereas other provinces (notably Quebec) have been selling beer and wine in local convenience stores for many years without any harm to the well-being of the public;

"Whereas it is desirable to promote the sale of beer and wine in a convenient manner consistent with a contemporary society;

"Whereas it is essential to support local convenience stores for the survival of small businesses;

"Whereas it is obvious from the current market trends that the sales of wine and beer in convenience stores is not a question of 'if' but 'when';

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Liquor Control Act to permit the sale of beer and wine in local convenience stores to the public throughout the province and to do it now."

I support this petition.

### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** It is my pleasure to add another 200 names to the petition to bring a PET scanner to Sudbury, which brings the number to 600. This one comes from the riding of Timmins-James Bay, and it goes:

"Whereas the Ontario government is making positron emission tomography, PET scanning, a publicly insured health service...;

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition and will affix my name to it and send it to the clerks' table with Nicole.

### TAXATION

**Mr. Jim Wilson:** I thank Mr. David Turner from Alliston for sending this petition to me.

"Whereas the hard-working residents of Simcoe-Grey do not want a harmonized sales tax ... that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for, to name just a few, gasoline for their cars, heat, telephone, cable and Internet services for their homes, house sales over \$400,000, fast food under \$4, electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snowplowing, air conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, vet bills, bus fares, golf fees, arena ice rentals, moving vans, grass

cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

"Whereas the blended sales tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I will sign that petition and I agree with it.

### TAXATION

**Mr. Norm Miller:** I've got many petitions to do with harmonizing the PST and GST, with more coming in daily. This one reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% harmonized sales tax will be applied to products not previously subject to provincial sales tax such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services; and

"Whereas rural and northern Ontarians will be particularly hard hit by the harmonized sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should remove this harmonized sales tax from its 2009-10 budget."

I support this petition.

### HOSPITAL FUNDING

**Mr. Dave Levac:** This is a petition on behalf of the western Mississauga ambulatory surgery centre.

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to

'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I do so on behalf of Bob Delaney, MPP, Mississauga-Streetsville, and I hand it over to Jacob to bring to you, sir.

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### PRIVATE MEMBERS' PUBLIC BUSINESS

#### BREAST CANCER SCREENING ACT, 2009

#### LOI DE 2009 SUR LE DÉPISTAGE DU CANCER DU SEIN

Mr. Orazietti moved second reading of the following bill:

Bill 200, An Act to increase access to breast cancer screening / Projet de loi 200, Loi visant à accroître l'accès aux services de dépistage du cancer du sein.

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 98, the member has 12 minutes for his presentation.

**Mr. David Orazietti:** I'm pleased to be here today for the opportunity to speak to what is a very important issue to all Ontarians. I want to first of all thank my colleagues the members from Hamilton Mountain, Etobicoke-Lakeshore and Huron-Bruce, who will be speaking to the bill this afternoon. I certainly appreciate them agreeing to do that.

I also want to encourage opposition members to support this bill, and I'm certainly looking forward to hearing their comments in the next few minutes.

Unfortunately, as most of us know, far too many of our family members and friends have been affected by breast cancer. It comes as no surprise that this is the most commonly diagnosed cancer in the province and this is the second-leading cause of cancer mortality in women in Ontario. This year alone, over 22,000 cases will be identified in Ontario and over 5,000 women will die as a result of breast cancer in this province in this year. In fact, one in nine women will be diagnosed with breast cancer in their lifetime.

I want to talk a little bit about the impact as well as the rationale for the bill and provide some of the evidence as to why I believe we need to make a fairly significant policy change in the province of Ontario to include women in the 40 to 49 age group for organized breast screening in Ontario.

Breast cancer occurs primarily in women between the ages of 50 and 69, which is why women in that age group do not presently need a referral to enter the Ontario breast screening program. However, 20% of all new cases in the province occur in women under the age of 50. The numbers are smaller, but the type of cancer and its aggressiveness is much more rapid and more challenging to combat. That's why it's very, very important that we ensure that there's early detection.



The bill proposes, if passed, to admit women 40 to 49 to the OBSP with a referral from either their nurse practitioner or their physician. Currently in the province of Ontario, women in this age group have really what is referred to, I suppose, by the sector as ad hoc OHIP services for mammography. They can get a referral from their doctor or their nurse practitioner, but it is not as comprehensive as the quality of service that is delivered through the Ontario breast screening program through Cancer Care Ontario.

So the main purpose of the bill, to be clear, is to ensure that women in this province aged 40 to 49, with a referral from their physician or their nurse practitioner, are eligible to participate in the Ontario breast screening program, which offers high-quality services, follow-up and the knowledge of the person receiving the service that they are in a program that is there with them as they go through what might be a very, very difficult experience.

It's somewhat disjointed at present in the province, where you have women that get ad hoc services or referrals to sites for mammography—and at 50 they can get into a program that is really much more wraparound services for them. So, really what we're saying is, at an age in which there is a significant number of breast cancers being identified, those women need to be included in the Ontario breast screening program delivered through Cancer Care Ontario, which is an absolutely fantastic program.

On a personal note, I've been asked on a number of occasions, "Why are you interested in doing this and where is this coming from?" Certainly individuals in my community have mentioned this to me around the nature of the breast screening program in Ontario. I should recognize an individual in my community, Tiffany Caicco, who worked for the Canadian Cancer Society and who raised this issue with me probably a year ago. What she said to me was, "I work for the cancer society and I continue to see women in their 40s presenting with breast cancer, and the Ontario breast screening program starts at 50." She said, "You know, I really think we're missing the mark here in Ontario. We're missing the opportunity to have better services for women in this province" around, as I said, what is the most identifiable cancer in Ontario right now. So I really want to extend my thanks to her for bringing this to my attention. She's a tremendous advocate in our community through the Canadian Cancer Society and does a fantastic job in our community, so I want to thank her.

On a personal note as well, we had a family experience that I know many members in this House and others outside, obviously, have been impacted by. My aunt was diagnosed with breast cancer when she was 28 and she died when she was 40 of the spreading of that breast cancer to other parts of her body, so our family has certainly experienced that as well. It's very challenging for the family members, but obviously we want to make a change that will benefit all Ontario women who have the difficulty of facing this challenge.

I want to talk a little bit about the evidence in terms of why we need to do this. We know that the program—50 to 69 is probably the highest-risk group in the province of Ontario, and anywhere, but the reality is that as evidence becomes more available and as technology improves—we're talking about digital mammography, which has a greater benefit to identify and reduce false positives, as well as false negatives—those services need to be extended to all women 40 to 49.

A 2007 review published in the *Annals of Internal Medicine* showed that of eight published studies analyzing the effect of mammography screening in women 40 to 49 years of age on breast cancer mortality rates, seven of the studies demonstrated a reduction in mortality due to breast cancer. The estimated average mortality reduction of the eight studies was 15%, so it's smaller than the 22% reduction seen in women above age 50, but it's still something that's certainly significant.

In the province of British Columbia, the BC Cancer Agency found, through a report in 2006, that women aged 40 to 49 who participated in the screening program had a 25% reduction in mortality rate related to breast cancer, which is also very significant.

In the United States, the US Preventive Services Task Force has also done studies on breast cancer and recommendations around mammography for women aged 40 and up. The evidence was strongest, obviously, for women aged 50 to 69, but the task force concluded that there were significant benefits to extending those services to women 40 to 49. This is really the new benchmark in the United States, and has been in some states for many years, because their studies indicated that it reduced mortality from 20% to 25% over a 10-year period—also very significant.

The Journal of the National Cancer Institute in the US referenced a Swedish study that showed that increased screening reduced mortality by 23% for women 40 to 49—also another significant study, and one that I think speaks volumes to the importance of including this group in the OBSP.

The Cancer Journal of 2004 indicated that organized programs have a greater potential ability to reduce the incidence of cancer mortality because of a centralized commitment to quality and monitoring. I want to be clear: We're talking about an organized breast screening program, as opposed to these individual services that are provided through OHIP. That speaks to some extent to the cost. I was asked the other day about the cost of this program and I guess what I would say is, I don't think we can afford not to do this. There are costs associated with mammography services through referrals by physicians or nurse practitioners, and those costs are estimated to be in the \$60-or-so range; the OBSP and the wraparound services are estimated to be in the \$100 range. I think the cost is relatively modest considering the benefit, the significance and the importance of the program.

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The other issue that we need to be aware of is the cost of human life that we're talking about, as well as the cost



to the health care system later on down the road. There's greater success if the cancer is identified earlier, and obviously the treatments would be less invasive and less costly. I think that's a really important aspect of why we need to include the 40-to-49 age group in the OBSP.

Just a reference from the Cancer Journal: "Organized programs are also more likely to offer greater protection against the harmful effects associated with poor-quality or over-frequent screening."

The OBSP, as I said, is a tremendously important program in Ontario. Cancer Care Ontario—Terry Sullivan and the organization do an absolutely fantastic job at Cancer Care Ontario. I think, and I hope, that they would be receptive to including women aged 40 to 49 in this program.

As we did some of the research on this bill, we found that other provinces in this country use the age of 40 for organized breast screening programs. Alberta, British Columbia, New Brunswick, the Northwest Territories, Nova Scotia and PEI all permit women aged 40 to 49 to enter into organized breast screening programs—very, very important. As I said, the US benchmark is 40. In many European jurisdictions, it's 40 as well. I think it's important that this program that we've identified in Bill 200 be included for women who are 40 to 49.

There are a number of organizations that are supportive of this. Wendy Fucile from the Registered Nurses' Association of Ontario has made some very positive comments around the role of nurse practitioners. As you know, we're expanding nurse practitioner clinics across the province to create increased access. The Canadian Breast Cancer Foundation, the Canadian Cancer Society—and Dr. Martin Yaffe, whom I want to reference, was here the other day—over 30 years of experience at Sunnybrook as a senior scientist for breast cancer research—a very, very strong advocate for this bill.

I want to encourage all members of the Legislature to support this bill moving forward. Members of the opposition who are here today who are going to be speaking to this, I encourage you to support this bill. I think this is a step in the right direction. I'm very pleased to be speaking today about an issue that is so important to so many women in this province.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Elizabeth Witmer:** It's a pleasure for me to stand here in support of the private member's bill that has been introduced by the member for Sault Ste. Marie and would increase access to breast cancer screening.

I just want to indicate that the bill would require the minister to ensure that breast screening services are provided free of charge to women aged 40 to 49 who are referred by a physician or a specified nurse. So there would have to be referral. The breast screening services may be provided through the Ontario breast screening program of Cancer Care Ontario or that program's successor.

As I say, we certainly support this. Indeed, when our government was in office between 1995 and 2003, as you

would well know, Mr. Speaker, since you were Minister of Health and were involved in making sure that it did happen, we invested \$24.3 million to set up 88 additional screening sites across the province of Ontario, because it's all well and dandy to indicate that women should have access to this breast screening program; however, you've got to make sure that the sites are accessible, that the sites are close to home and that women, no matter where they live in the province of Ontario, are able to access those sites.

We've seen a lot of action undertaken in the past, and the suggestion is now being made that we would expand the opportunity for women aged 40 to 49 to also access this program. Of course, basically it includes the mammography and the physical examination as well.

We know that breast screening does save lives. Many of us are going to be participating in the CIBC run in the near future. Certainly it is important that women be aware of the screening opportunities that are available to them and that they be encouraged to participate.

Indeed, between 1989 and 2004 the breast cancer mortality rates in Ontario women aged 50 to 69 decreased by 33% due to the fact that in this province we do have improved cancer treatments and increased participation in breast screening.

Breast screening is important, because obviously if you can find the cancer when it is small, it means that there's a better chance of treating it successfully, it is less likely to spread and there are possibly more treatment options. So everything we can do in order to find it early, provide the treatment and help to reduce the number of deaths is very, very significant.

Currently you can access the Ontario breast cancer screening program if you're looking for screening. However, I think we also need to recognize that there are stand-alone OHIP-funded clinics available as well, so all women in the province do have access to the screening.

This program, the OBSP, offers very important advantages to women, and also to the physicians and nurse practitioners who may be treating them, because what it does is include the recruitment, recall, follow-up and on-going quality assurance, and that's really quite important.

Of course, all of the OBSP sites are currently accredited with the Canadian Association of Radiologists' mammography accreditation program. So you have a coordinated program that is certainly the gold standard when it comes to breast screening.

I know that the target in the province of Ontario for women aged 50 to 69 has been to have 70% of women participating by the year 2010, and 90% of the women in this age group by the year 2020. Currently, only 60% of women aged 50 to 69 participate in regular screening through the OBSP or other screening clinics.

I think you can see that we still have a long way to go to raise the awareness of women to the fact that they should take advantage of this opportunity to detect whether or not there is a cancer and, if so, that that cancer can be treated promptly.

We not only have to take a look at expanding the program, as this bill is suggesting, to women aged 40 to



49, but we need to do a much better job in the province of aggressively promoting screening, using information technology and any other method that we can, in order to assist any primary-care practitioner with screening. We have to increase our efforts to reach out to some of those people who currently are under-screened.

Some of the people who currently are not taking advantage of the opportunity to participate in the screening program are new Canadians; people who probably are living in poverty; and also people without a family physician—we know that there are somewhere in the neighbourhood of 800,000 people without a family physician; and the aboriginal groups. We need to do a better job of reaching out to those people, raising their awareness about the program and making sure they too have an opportunity in our province to avail themselves of screening, because it does result in earlier detection of cancer and, as a result, better health outcomes.

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I know that Cancer Care Ontario tries to do a good job, and I know that they do want to reach out to these vulnerable, unscreened populations. We're going to have to look at innovative ways to raise the awareness of the program if we're going to achieve our targets by 2010: 70% of Ontario women between the ages of 50 to 69 undergoing mammography screening every two years. Of course, that's a huge target if today we're only at about 60%, but I think that we can do it.

I have no doubt that everyone in this Legislature can support this bill. As I say, it is important that breast cancer be detected early, just as it is important that any cancer be detected early, and we should be making sure that people have access to screening and know it's available to them.

In this case, the advantages of the OBSP program are that the sites are accredited. It is a high-quality mammogram. I personally like the fact that I'm reminded every two years that it's time again. I think that's important, with our busy lives, that we be reminded of the need to undergo the screening on a regular basis. I appreciate the reminder letter, when it comes, to return the next time for a screening mammogram.

Certainly, there are still too many people in the province of Ontario and throughout this world who are impacted by cancer. I'm sure we all know friends, mothers, sisters, relatives and neighbours who have been impacted. So I applaud the member and appreciate his efforts to bring forward an initiative which would allow, on the referral of a nurse practitioner or a doctor, the opportunity for women under the age of 50, specifically 40 to 49, to also receive the mammography services and increase the access to the Ontario breast screening program.

I would say to you that—you know what? We did a lot to improve access to cancer care, and we need to continue to make sure that the accessibility remains available to everyone, no matter where you live in this great province. Thank you.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**M<sup>me</sup> France Gélinas:** I'm happy to rise today to lend my support to Bill 200, An Act to increase access to breast cancer screening, and I want to congratulate the member from Sault Ste. Marie for this bill. It is a good bill and it is one that is important; there's no question about that in my mind or in the minds of New Democrats.

This bill will ensure that a woman, as has been mentioned, between the ages of 40 to 49 can be referred to the breast screening program, the one currently run by Cancer Care Ontario. In my area, where I come from, we call it the Sudbury breast cancer program, and it is a very successful program. The Ontario breast screening program is good because it makes sense. It is well set up, it is welcoming, it is effective and it allows the follow-up that the member from Kitchener was just talking about. These women, the ones from 40 to 49, will need a referral from their physicians and nurse practitioners in order to access the program, and the program should and will be free.

Bill 200 is important because we know that with higher screening rates, breast cancer mortality decreases. As has been mentioned, breast cancer is the most common cancer diagnosis in Ontario women. It makes up 27% of cancer diagnoses. It has the second-highest mortality rate—and I kind of have to open a parenthesis here, to remind everybody that the number one cancer killer of women is still lung cancer, and we have a long way to go in Ontario to be tobacco-free. So it is important that women, on the advice of their primary care provider, can gain access to the program.

We also know that increased screening practices lead to earlier detection, which makes treatment easier and makes the variety of treatments often more acceptable to the woman, but at the end it decreases mortality.

Between 1989 and 2004, breast cancer mortality rates in Ontario women aged 50 to 69 decreased by 33% due to improved cancer treatments but also due to increased participation in breast screening. There is clearly an important role for high-quality, well-organized breast cancer screening programs, and therefore this bill is a step in the right direction. However, it is but one piece of the puzzle of what keeps women healthy and cancer-free. It is not the only issue that needs our attention when it comes to this issue of breast cancer.

The first issue I want to talk about is access to primary care. The fact of the matter is, for this program to work, these women need to be referred by a physician or a nurse practitioner. But what happens to women who don't have access to primary care? And the fact of the matter is that way too many women don't have. It is estimated that in Ontario as high as one million people don't have a primary care provider. It's a good guess that 50% of them are women; that's a lot of women. They don't have access to regular checkups, they don't have access to routine breast exams and they do not have the opportunity to talk about lifestyle issues. They do not have a first contact point to our health care system. This is a serious matter and one which grossly impacts the health of Ontarians.



Although women over the age of 50 have access to the Ontario breast screening program, it is not the case for these younger women, 40 to 49, who need a primary care provider. So my question is this: Without ensuring that every woman has access to primary care, how many women will be missed? This is a good program, but if you don't have access to it, it is all for nothing. We also know that there is a huge variation in the group of women that go for routine screenings. It is also true for people who have access to primary care.

When we talk about health equity, Health Canada tells us that women are currently receiving screening at inadequate and inequitable rates. We know that women who go for mammography are usually more highly educated, they have higher incomes and they are more likely to be white than women from a racial minority. They usually live in an urban area, not in a rural or northern area. This is a very similar to picture to women in our province who don't have access to primary care. There are some important initiatives out there where the Ontario breast screening program is trying to increase the screening rates for women in marginalized groups, but here again, for this new group that we're adding on, I have a feeling that these inequities will continue for them, not only for breast cancer but also for cervical cancer and other common cancers among women.

A recent study at St. Michael's Hospital found a 14% difference in screening rates in cervical cancer between women who live in high- versus low-income neighbourhoods: in high-income neighbourhoods, 75% screening; in low income, 61%. And this is in an area right here in Toronto where accessibility is not an issue, not like it could be in northern Ontario or in rural Ontario.

We have to ask those tough questions: Why is it that low-income women, who are at greater risk of getting sick, don't have access to screening? Why is it that they cannot get enrolled into this excellent breast screening program that we have? We also know that women who experience language barriers or women who cannot access culturally appropriate services—and I will add to this gay, lesbian, bisexual women and transgendered people—are disproportionately represented in those who never receive adequate screening, and unfortunately, the cancer rates are reflected in those groups also. They have cancer more often, they have complications more often and they die more often. We have a lot of work ahead of us before achieving health equity, but those issues are important and need to be addressed.

1400

I also want to talk about lifestyle. There are other initiatives that are just as important in decreasing breast cancer rates in this province, and I have good news: Most of them are cheap and relatively easy to achieve. We know that leading healthy lifestyles lowers the chances of people developing all sorts of cancers, including breast cancer—lifestyle issues such as a healthy diet, regular exercise, stopping smoking and maintaining a healthy weight. Last session I introduced Bill 156, the Healthy Decisions for Healthy Eating Act, which passed second

reading. It had the support of this House but it has not been called in front of committee yet, an opportunity to prevent more cancer amongst Ontarians wasted.

Ontarians would also benefit from other kinds of legislation that would encourage them to engage in healthy lifestyles, such as banning junk food in our schools, which my colleague Rosario has brought forward. But here again, those bills are being stalled.

A note about the environment: We know that environmental health matters. This year, the government had an opportunity to make a real impact with Bill 167, the Toxics Reduction Act, because across Canada, over 23,000 chemicals and substances are used in manufacturing products that we use every day. We also know those chemicals have a direct and negative impact on the health of Ontarians, including Ontario women.

I wanted to talk about the precautionary principle. Basically, an ounce of prevention is worth a pound of cure. But in order to bring forward prevention, those bills have to move through the House. It is an opportunity for the government, by passing the environmental bill, to have an impact on the rate of breast cancer, just as the bill from the member from Sault Ste. Marie will have an impact.

New Democrats will be supporting this bill. It is an important step. But let's not fool ourselves. This is one small step, and there are many more that are needed. We must address the crisis in primary care, we must understand the underlying reason behind the inequity of access women face to the health care system and we must commit ourselves to ensuring a climate of real prevention, one that succeeds in making a connection between our health and the social determinants of health. We have a lot of work ahead of us, but this new screening initiative is a step in the right direction.

Du côté des néo-démocrates, cela nous fera plaisir d'appuyer le projet de loi 200, Loi visant à accroître l'accès aux services de dépistage du cancer du sein. Accroître les services de dépistage pour les femmes entre 40 et 49 ans est quelque chose d'important qui va porter fruit, mais il ne faut pas oublier que ces femmes doivent avoir un renvoi en service soit d'un médecin, soit d'un infirmier praticien ou d'une infirmière praticienne.

Pour les gens—il y a près d'un million de personnes en Ontario, et on peut dire que la moitié d'elles sont des femmes—qui n'ont pas d'accès aux soins primaires et qui n'ont pas de médecin de famille ou d'infirmière praticienne, ce service ne leur sera pas disponible parce qu'elles n'ont pas de porte d'entrée au système de la santé.

On sait également que bien que les services de dépistage soient présentement disponibles, il y a très peu de femmes de minorités visibles qui sont capables d'en faire partie. Donc, le projet de loi a de bonnes intentions, mais dans la réalité il y a beaucoup d'améliorations qu'on doit apporter au système de soins primaires pour que ce système-là soit équitable pour toutes les femmes de l'Ontario.

Je souhaite bonne chance au député de Sault Ste. Marie avec son projet de loi.



**The Acting Speaker (Mr. Jim Wilson):** Merci. Further debate?

**Mrs. Carol Mitchell:** I'm very pleased to enter the debate and I want to congratulate my counterpart, the member from Sault Ste. Marie, on bringing a bill forward that I believe is quite timely. One of the things I wanted to talk about today—I wanted to actually read some articles about young women who have developed breast cancer and how their lives have changed and how their children's lives have changed—all their family.

I want to begin by reading a couple of stories and then I want to talk about what this represents in a rural riding like Huron–Bruce and how this bill represents change. The first article is from the Kincardine News and it says:

“You mature quickly when you're five years old and your mommy is diagnosed with breast cancer.

“Now, four years and one clean bill of health later, 10-year-old Jordan Jarvis is hoping to put an end to cancer by participating in Kincardine's Relay for Life....

“I want to help raise funds so I don't have to go through what my mom did,” said Jordan, the daughter of Brad and Joanne....

“In April 2002, Joanne was diagnosed with breast cancer at the age of 36, when Jordan was five and son Mitchell was three. Although there were no symptoms and no lump because the tumour and precancerous areas were buried too deep to discover by touch, she immediately underwent a mastectomy. That was followed by chemotherapy and radiation treatments. Joanne has been cancer-free since her last treatment in the fall of 2002.

“Jordan remembers it was a difficult time for her family and, even as a five-year-old, she could comprehend the gravity of the situation.

“It was the first I ever saw my dad cry ... but I didn't know what cancer meant,” the petite blond said.

“But it wasn't long before she realized how serious her mother's battle was. It scared her.

“I got to see her (in the hospital) and when we walked into the room I felt sick to my stomach because she had all these things hooked up to her. She looked bad.

“I felt sad because I didn't like to see her go through everything, but I met the doctors and they were really nice, so I knew they'd do a good job.”

“Jordan was right. Joanne came through the treatments and went back to her job as a dental hygienist early in 2003. She said she felt fully recovered and ready to start the next chapter of her life in 2004....

“Joanne's one of the lucky ones. She had the opportunity to learn from her experience and carry it through to her post-cancer life.

“I'd never choose to go through it again but my life is fuller and I'm happier than I ever was,” Joanne said.”

She says that she appreciates—but one of the things I wanted to tell from the story was that her daughter has now formed the BJ Beauties, who participate in the Relay for Life. Jordan's goal is for \$1,000 that she'll raise to go toward the fight for cancer.

We have another young lady from Huron country, and this is Luann Taylor of Luann's Country Flowers. She

feels women under the age of 50 should also be tested regularly. She was diagnosed with breast cancer at the age of 39 and after being diagnosed and treated for breast cancer, she devised the Take Care campaign. Each year, florists, including Blooms and Rooms and Flower Magic and a number of other florists, donate \$5 from each bouquet of carnations. She has raised \$2,300 this year and this will go toward more cancer research and helping in cancer care.

I just share those two stories with you.

I also wanted to speak about the statistics coming from a rural riding like Huron–Bruce. Huron: 54.67% is the percentage of women who are participating right now in the 50 to 69, and in Bruce county 42% of the women are participating in the breast screening program today—much work to do.

I do want to add my congratulations once again to this very important bill, and my support.

**The Acting Speaker (Mr. Jim Wilson):** Further debate.

**Ms. Laurel C. Broten:** First, I want to congratulate my colleague David Oraziotti, the member for Sault Ste. Marie, for the important bill that he has brought forward for debate in the House today. David has a history of bringing critically important issues to the floor of the Legislature, and certainly that is true today as we debate Bill 200, An Act to increase access to breast cancer screening.

The reality is that each of us in our lives has been touched by some form of breast cancer. We know someone who has suffered from, been diagnosed with and, hopefully, beaten breast cancer. I think at its heart, that is exactly what Bill 200 is all about—giving women the best chance possible to diagnose, treat and survive breast cancer, to help more women be survivors of a terribly rampant disease in our society. The evidence bears out that early diagnosis, especially among younger women, really reduces breast cancer mortality. The medical literature suggests—and there's a study in the *Annals of Internal Medicine* which really well summarizes the evidence. Of eight published studies analyzing the effect of mammography screening in women 40 to 49 years of age on breast cancer mortality rates, seven—seven—of the eight studies demonstrated a reduction in mortality due to breast cancer. The estimated average mortality reduction from the eight studies is 15%, which is a significant number. When you think about the lives and the many women that all of us know in our lives, 15% makes an incredible difference to women, to their families, to children, to our mothers, and each of us would say that a stat of 15% is well worth striving for.

1410

But in fact some places have said the statistics are even better. A recent British Columbia study found a breast cancer mortality reduction of 25% as a result of screening between 40 and 49. Certainly mammography screening is not 100% perfect, but it is the best tool that we currently have for detecting breast cancer. Most, but not all, breast cancers can be detected by mammograms.



For those women, access to this type of important new screening tools is incredibly important. We just heard some stories about children—a little girl named Jordan that my colleague just told us about. Jordan's mom is alive and Jordan has a mom because that breast cancer was diagnosed. That's what this is about. That's what the member for Sault Ste. Marie is bringing forward: an opportunity to give women and their families every fighting chance that they can have.

Breast cancer is the most common cancer diagnosed and the second leading cause of cancer mortality in Canadian women, with 22,700 new cases every single year—22,700 women are diagnosed—and 5,400 deaths are expected in 2009. One in nine women will be diagnosed with and one in 27 will die of breast cancer in their lifetime. If we can do something on the floor of this Legislature to make those statistics a little bit better by giving women aged 40 to 49 better access to better diagnosis, that is something worth fighting for and that is something that is worthy of the support of our friends around the Legislature today. My colleague has my support and I congratulate him.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Sophia Aggelonitis:** I too would like to congratulate the member from Sault Ste. Marie for bringing this very important bill forward. I wholeheartedly support this bill, and like the member from Etobicoke–Lakeshore mentioned, I think everyone in this House has at one time been touched by a woman who has had breast cancer. I too have had that experience. Unfortunately, the two women I know who had breast cancer didn't make it. I know that they would be very supportive of this bill, so I'm very happy to be here and stand in support of the member from Sault Ste. Marie.

As a 41-year-old woman myself, I am someone who would benefit from the Ontario breast screening program. I do believe that early detection is the key to fighting cancers. A program that helps identify breast cancer at an earlier age would be the right thing to do, and that is what this bill is all about.

We know that breast cancer is the most common cancer among women and we know that the best time to treat breast cancer is when it is detected at its earliest stages. There's a lot of good evidence that we can look at, but one thing I'd like to mention is that internationally there are countries in the world that already have breast screening for women at the age of 40. Some of those countries include Australia, Austria, Greece, Japan, Slovakia and most counties in Sweden.

I'd like to leave you with just one of the supportive quotes that we have received for this bill, from Sandra Palmaro, CEO of the Canadian Breast Cancer Foundation, Ontario region. She writes:

"Since 2007, the foundation's position has clearly been that women aged 40-49 should be allowed access to screening mammography in the Ontario breast screening program.

"Screening mammography for the 40-49 age cohort would align Ontario's policy with most other provinces

and territories in Canada. As there is scientific evidence that women aged 40-49 can benefit from screening, the foundation applauds this important step in providing access to organized breast cancer screening for women in their forties."

I truly believe this is the right thing to do. Regular breast screening can find cancer when it is small, which means there is a better chance of treating the cancer successfully and it is less likely to spread.

Congratulations to the member.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? Seeing none, the honourable member, Mr. Orazietti, has up to two minutes for his response.

**Mr. David Orazietti:** I'm pleased to wrap up the debate.

First of all, I want to say thank you to the former Minister of Health, the member from Kitchener–Waterloo, who spoke on behalf of the Conservative caucus today in support of this bill. I appreciate that support. I think she recognizes how important this change in policy is, however that potentially could occur, so I want to thank her for that.

I also want to thank the member from Nickel Belt, who is here today speaking on behalf of the NDP caucus, and who has considerable experience and background in the health care sector. I respect her comments and I appreciate her thoughts on the bill today. I think they were very heartfelt and quite accurate. So I appreciate that support.

To my colleagues the member from Huron–Bruce, the member from Etobicoke–Lakeshore and the member from Hamilton Mountain, who were here today to speak in support of Bill 200, I want to say thank you very much for your comments and for sharing some stories from your riding and personal stories as well.

I think that's the challenge. There are too many personal stories in this province around women—our mothers, our sisters, our daughters—who have been affected in a negative way and continue to be affected by this dreadful disease, and we need to take whatever steps we can to ensure that we reduce the incidence and save as many lives as possible.

We've all heard the statistics here today. We know there is overwhelming evidence out there around early screening and organized screening programs, and the benchmarks that have been established in many other jurisdictions, not only in this country but around the world. Ontario needs to be on the same playing field as these other jurisdictions because we need to give Ontario women the same advantages when it comes to health care services.

I want to encourage all members of the Legislature to support this bill, and thank you to those who spoke in favour of it today. I appreciate it.

**The Acting Speaker (Mr. Jim Wilson):** That concludes the time for this ballot item. For those watching at home and those in the galleries, we'll vote on this item in about 100 minutes.



## FIRE SAFETY

**Mrs. Linda Jeffrey:** I move that, in the opinion of this House, the recent changes to the Ontario building code (OBC) to require sprinklers in new multi-unit residential buildings over three storeys in height should be further extended to require that all new residential homes be equipped with a properly installed residential fire sprinkler system to reduce deaths and serious injuries from fires in the home, limit exposure to danger from fire of children, the elderly and the disabled and to mitigate the exposure of firefighters to toxic chemicals and the dangers of interior fire attack.

**The Acting Speaker (Mr. Jim Wilson):** Mrs. Jeffrey moves private member's notice of motion number 105. Pursuant to standing order 98, Mrs. Jeffrey, you have up to 12 minutes for your presentation.

**Mrs. Linda Jeffrey:** In June 2006, the Ontario building code was amended to enhance fire safety for Ontarians and to harmonize Ontario's building code with that of the model national building code. The building code change requires fire sprinklers in multiple-unit residential buildings higher than three storeys and comes into effect on April 1, 2010. This amendment was a great first step. Unfortunately, most people die in fires that occur in residences three storeys and lower. In fact, since January there have been an alarming 71 fire deaths in Ontario. The resolution we have before us today recommends that we extend the protection to all new residential homes in Ontario.

1420

Since being elected in 2003, I've spearheaded three separate attempts to change Ontario's laws to mandate sprinkler systems in all new residential construction using private members' legislation. I introduced my first private member's bill, entitled the Home Fire Sprinkler Act, on November 2, 2004. Bill 141 would have amended the building code to prevent any person from constructing a new detached home, semi-detached home or row house that wasn't equipped with a sprinkler system.

The following October, I introduced Bill 2. This new and improved bill would have amended the building code to prevent anyone from constructing any dwelling not equipped with a sprinkler system. Simply put, wherever you slept, you would have been protected.

My current bill, which was introduced in May 2008, would, if passed, ultimately amend the Building Code Act to allow municipalities to enact a bylaw that would prevail over provincial laws, requiring residential fire sprinklers to be installed in all new residential occupancies.

While my bill awaits hearings, I've had an opportunity to raise awareness on this issue. At the same time, I've publicly supported both government and opposition legislation which promotes fire safety, because I believe this issue goes far beyond partisan politics. Over the previous decade, more than 900 Ontarians have lost their lives, thousands have been injured and billions lost in property damage in residential fires. Smoke alarms do

what their name implies: They provide early detection and warning of smoke from a fire, but they take no action on the fire itself. The fire doubles in size each minute or so; the first two or three minutes are critical. People typically only have about three to five minutes to get out of a burning house.

Sprinklers are a proven automatic technology, like an airbag, that do not rely on changed human behaviour to prevent the accident or loss of life. If you are one of a high-risk group—elderly, impaired, disabled or a child—you need extra time to escape a fire. Without sprinklers, the heat and smoke from the fire travel quickly, damaging furniture and possessions throughout the house. Fires typically burn 10 to 15 minutes before firefighters arrive.

These days, home builders are trying to reduce their costs by using cheaper construction materials. Builders are routinely installing wooden beams that are little more than lengths of pressed board sandwiched between two-by-fours or four-by-sixes. The National Research Council of Canada has recently revealed that these new composite wood floor assemblies in homes fell 67% sooner than older homes. Worse yet, this type of lightweight construction endangers firefighters, who fall through the floors and are then trapped by the collapse.

Some experts advocate the use of construction materials that are fire-resistant and they claim that using these materials makes more sense than mandating fire sprinklers. These comments reveal a complete misunderstanding of fires and fire deaths. The minute a homeowner carries a piece of furniture into that building, the home is no longer fire-resistant.

The contents found in an average home today have drastically changed the impact and consequences of a fire as compared to as few as 20 years ago. Interior finishes such as upholstery, carpets, laminate and the contents made of synthetic foams and plastics result in fires that burn hotter and quicker and produce higher concentrations of toxic smoke, posing a higher risk to occupants and responding firefighters alike. The reality is that fatal fires occur in all types of buildings, regardless of what kinds of construction materials are used.

The vast majority of fire fatalities are not related to the structural integrity of buildings. We know for a fact that more often than not, it is human behaviour that causes fires and it is the burning contents of the homes, the toxic gases, that kill people well before the fire reaches the structural components of the building.

I recently received an e-mail from a firefighter who sent me a story about a resident who reportedly disabled his home smoke detectors because they were making noise. A stovetop fire broke out in the apartment just after midnight. The two occupants of the apartment had gone to bed; apparently, they hadn't realized one of the stove's burners was still on. The food on the stove caught fire and the flames spread to the cabinets. The fire sprinkler doused the blaze and the occupants were awakened by the sprinkler system's water flow alarm, which sounds when a sprinkler discharges. When firefighters arrived, they found the apartment's two occu-



pants waiting safely outside, along with three neighbours who evacuated from an upstairs unit of the fourplex when they heard the alarm.

In the event of a fire, only the sprinkler closest to the fire will activate, spraying water directly on the fire. Ninety per cent of the time, fires are contained by the operation of just one sprinkler. Sprinklers are like home plumbing systems. Each individual sprinkler head is designed and calibrated to activate only when it senses a significant heat change, directing water to the area of the fire. If it doesn't extinguish the fire, it will contain it until the fire department arrives. In fact, sprinklers, combined with working smoke alarms, increase your chances of surviving a fire in your home by 82%.

In 1990, Vancouver, British Columbia, became the first large Canadian city to enact a residential sprinkler bylaw. In the 19 years since its enactment, while there have been a number of fire deaths in unsprinklered homes, there hasn't been a single fatality in a home that has been sprinklered.

Unfortunately, every day new homes are being constructed throughout Ontario and across Canada under the current building code, which does not require sprinklers. Over the years, the fire services have been vocal about their support for automatic sprinkler systems because they know this technology will reduce firefighter fatalities.

In fact, back in 2007 the Ontario Association of Fire Chiefs wrote a position paper urging the province to mandate automatic sprinkler systems in all new homes. They're not alone in this view. For more than 25 years, nearly a dozen coroners' juries and inquests have recommended changes to the Ontario building code to include residential fire sprinklers.

I want to leave with you a story that proves that the advocacy that I and my friends in the fire service are doing regarding residential sprinkler systems is not in vain.

In July 2008, a fire broke out in a three-storey, century-old home in downtown Brampton that was being used as a supportive lodging home. Nineteen tenants lived in Genesis Lodge, many of whom suffered from mental illnesses and physical limitations. Ten years earlier, the owner of the lodging home had been given some advice by our fire officials. Largely due to the age and physical configuration of the home, he was told he should install residential fire sprinklers. The owner wisely took the advice given to him by that fire prevention officer.

The fire originated in a mattress in a front bedroom on the second storey and was set by a disgruntled and disturbed tenant who was asked to vacate the residence earlier in the day. The sprinkler system was activated in the bedroom. Firefighters arrived on scene and they only needed to remove the smouldering mattress from the room, resulting in minimal fire damage.

Imagine if he had not taken that advice. Had sprinklers not been installed, the outcome that July day could have been significantly different. Not only were all 19 resi-

dents, three staff and a cat evacuated safely, but the property itself was saved and returned to service two days after the fire. An investment 10 years ago to protect the residents and staff was paid in full that day and is a very clear example of how effective an automatic fire sprinkler system can be.

In conclusion, I would like to offer my sincere gratitude and appreciation to the members of the fire service for their ongoing dedication. My friends in the gallery, I'm very grateful for you being here today. Specifically, I would like to thank my own fire chief official, Brian Maltby. Brian and I want to see Ontario be the first province in Canada to mandate residential sprinkler systems.

If we really want to be leaders in fire safety, we must take the next step and legislate sprinklers in all classes of occupancies wherever people reside. We owe it to the elderly, the young, our students and our physically and developmentally challenged. We need to protect what we value most.

**The Acting Speaker (Mr. Bob Delaney):** Further debate?

**Mr. Norm Miller:** I'm pleased to speak to this resolution today put forward by the member from Brampton—Springdale “that, in the opinion of this House, the recent changes to the Ontario building code (OBC) to require sprinklers in new multi-unit residential buildings over three storeys in height should be further extended to require that all new residential homes be equipped with a properly installed residential fire sprinkler system to reduce deaths and serious injuries from fires in the home, limit exposure to danger from fire of children, the elderly and the disabled and to mitigate the exposure of firefighters to toxic chemicals and the dangers of interior fire attack.”

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I have no doubt that this is an issue that the member is very concerned about. I have to say I'm a little surprised that there's a resolution today on this issue, because the member has had a private member's bill debated in the past, and most recently brought forward a private member's bill—not just a resolution, as we're debating today—on this issue. In fact, it had first reading on May 7, 2008, second reading debate on May 29, 2008, and was carried on second reading on May 29, 2008, and ordered referred to the Standing Committee on Regulations and Private Bills. That is where that bill, Bill 72, the Municipal Residential Sprinkler Act, now resides. It's in the Standing Committee on Regulations and Private Bills.

I would have thought there is not really a need for a resolution to be debated today, and that it makes more sense for the member to lobby members of her own party—of the government—to get that bill moving through the committee process and get it voted on. As I say, I'm just a little bit surprised that we're debating this resolution today when there is a bill in committee.

Having said that, I know that the last time the bill was debated, the member from Oxford, Mr. Hardeman, spoke



at length to it—his comments are all in Hansard. I am sure that firefighters would be very supportive of this move. I suspect that home builders are likely concerned with the affordability of new homes.

I would say that I'm a huge believer in smoke alarms, for sure. Smoke alarms very much save lives. We need to do everything we can to encourage people to keep the batteries in their smoke alarms and to make sure they have smoke alarms, because they are critical to people being aware that a fire is starting, and to getting out of their place of residence.

We also need to encourage people to have carbon monoxide detectors in their homes. There was a tragic accident last year. I think a gas fireplace was not properly venting, and a family perished in their home. Shortly after that incident—there was a connection to some people in my riding—the Christmas gift I bought our daughter, Abigale, was a carbon monoxide detector for her little basement apartment in the Beaches of Toronto. Her apartment is pretty small, and I think the furnace is right next to her bed, so as a father, I was quite concerned.

I think we should be doing all we can to encourage all people to be aware that not only a smoke alarm—with a battery or wired in, and checked on a frequent basis and dusted etc. so it's working—but carbon monoxide detectors should be in place and operating on each level of the home.

I certainly think there's an argument for sprinklers as well. In a perfect world, it would be great to have sprinklers everywhere. I think it's something that definitely provides protection for the structure more than for the individuals in the home. For them, the most important thing is a smoke detector. Sprinklers are certainly more significant in a larger building, especially if it's a multi-floor or multi-storey building. I note that the building code to do with multi-storey buildings has been changed recently.

I would certainly encourage the member to talk to her colleagues to get the bill she has through the Legislature. It has already passed second reading.

There are some other issues to do with firefighting that I would like to raise. I note that just this week the members from Wellington–Halton Hills and Simcoe North brought up the issue of presumptive legislation that is in place for the protection for full-time firefighters, but the government has been dragging their heels in terms of providing that same protection for volunteer firefighters.

This is important to me, because in my riding of Parry Sound–Muskoka, virtually all the various small communities' firefighters are volunteers. They're doing a great job. They're facing the same risk as full-time firefighters. There's nothing different, but they don't have the same protection that is now given to full-time firefighters. I would ask the government to stop dragging their heels, stop discriminating against volunteer firefighters and provide the same protection for those volunteer firefighters.

We have unique places in Parry Sound–Muskoka where there are unorganized territories. We actually have

little communities up on the coast of Georgian Bay, like Britt, that are unorganized, with no municipal structure, and they still have volunteer fire departments. I've had the pleasure of being there when new trucks have been unveiled.

We have waterfront communities where it's pretty difficult to get access out to the places on the water, and where, without even a volunteer fire department, in The Archipelago and in the village of Pointe au Baril, they've fundraised and purchased fire boats so they can provide some protection out on the waterfront—without a lot of support from the municipality, at this point; the municipality is worried about taking on liability. So as a result, in Pointe au Baril, there's not really much protection for the people on the mainland, if you can believe it.

I think back to my first election in 2001, the first time I was in the small village of Kearney, northeast of Huntsville, and the first place they took me was the fire department and I saw the 1968 rusty fire truck that didn't look like it would start if a fire started. I was pleased to, in the first couple of years after being elected, go back and see their new fire truck. I was just recently there and they have another new fire truck.

But in terms of this resolution today, I would just once again encourage the member to talk to the government and try to get action from the government on moving it through the committee process and bringing it back for a third reading vote, because that's the most likely way that you might have some progress on it. I know she's very determined because I think there have been at least two times you've brought forward this private member's bill and now a resolution. Maybe you can tell us why—maybe it's just to make sure people don't forget about it—you've decided to bring it back as a private member's resolution, as it is before committee at this time.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**M<sup>me</sup> France Gélinas:** I'm really pleased to rise in the House today to have an opportunity to talk about this important issue. New Democrats have a long history of supporting this initiative, including our support for earlier bills regarding the same issue that the member from Brampton previously brought forward. New Democrats recognize the significant contribution made by the valiant firefighters who serve in our communities and protect us from harm.

I want to take this opportunity to say hello to the firefighters at Long Lake station in Sudbury. My husband actually makes them watch the parliamentary channel, so the ones who are not snoozing—not that they ever do this at the fire hall—are actually watching TV. So hello to all you guys. I guess that's why you watch, eh?

My husband, being a career firefighter, has seen his fair share of tragedy—tragedy that strikes people most times in the middle of the night. They are men and women, but often they are children. It doesn't matter how many times it happens to a career firefighter, it always has a lasting effect. It is hard on the people who go through this tragedy. It is also very hard on the fire-



fighters who witness those tragedies and wonder, "What if?" What if the smoke detector had been activated? What if this premises had had sprinkler systems available? What if? But all they can do is fight the fire, do the best they can, pick up the pieces and let the people deal with their broken lives. Firefighters are always willing to put their lives on the line every day, and by installing residential fire sprinkler systems, we would be able to assist them greatly.

New Democrats also recognize the importance of this motion as it affects our communities. Between 2000 and 2005, approximately 200 Canadians died each and every year from exposure to smoke and because of fires; most times, it's from smoke inhalation. Of those, approximately 160 die in buildings such as offices, apartments, condos and their own homes. Should we even risk one life when a minor adjustment to new houses and multi-unit residential buildings could prevent a death? We can prevent it, we can make a difference.

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During these hard economic times, Canadians are worried about unnecessary and expensive expenditures, yet we as New Democrats believe that you are making an investment. It is the cost that is being incurred for our future well-being. Consider it an investment in our well-being.

The Canadian Automatic Sprinkler Association reports that the price to the builder was, on average, \$1.50 per square foot. For those of us who are not from a construction background, it is not unusual for a home to cost between \$150 and \$200 per square foot. To add \$1.50, to put it in perspective, doesn't seem that much, does it? Overall, it would represent about 1% to 1.5% more of the construction cost.

We are not denying that an investment needs to be done. What we are saying is that the result is worth the upfront investment. The installation of additional units in one residential building or throughout a subdivision could even further reduce the cost per unit per habitation. This does not amount to a substantial increase in the cost of new homes, yet its long-term benefits are great and are there for the life of the building.

In Vancouver, where the law regarding residential fire sprinklers has long been enacted, it was determined that damages where the sprinklers were installed cost an average of \$1,065. In contrast, a house that did not have a sprinkler system incurred damages in the range of, on average, \$13,937. That's a difference of \$12,872, almost \$13,000, for every fire. That's money that could have been used elsewhere, that could have been more productive, not counting the human factor.

For those critics who worry about insurance costs and the likelihood of the homeowner actually purchasing and installing the systems, research has shown that interest in residential fire sprinklers has increased. It is estimated that savings on property insurance for units with sprinklers range from 10% to 15% savings on your insurance costs. Over the life of your residence, it adds up to significant savings, many times the price of installing the sprinkler system in the first place.

Additionally, a survey by the National Fire Protection Association released in June 2009 found that "municipalities actually saw a larger relative increase in construction the year after the regulations became effective, compared to the adjacent counties without sprinkler ordinances." So it's not going to slow down growth. It's not going to impede people who want to have new construction.

New homeowners are willing to step up and protect their families from risk, and this is one form of protection that the consumer is willing to pay for, because the costs of not having them are so drastic when they happen.

Ontario fire chiefs report that residential fires most often occur between the hours of midnight and 6 a.m. In talking to my husband and colleagues, I can assure you that this is when fire happens. I could even tell you that it happens more often, in Sudbury anyway, on the weekends, and that to this day the old "comes home late at night, feels like French fries, puts on a pot of hot oil and goes for a snooze" still happens in Sudbury, with drastic consequences.

We all know what an oil fire can be like. It engulfs the kitchen in no time at all, and it usually happens late at night when people are sleeping. This means that we are at our most vulnerable when the risk of danger is at its peak. Through a simple installation, this danger could be reduced.

Due to the increase in combustible building materials, the time it takes for a free-burning fire to consume a residence is between two and four minutes. It often takes people that long simply to wake up, get their bearings and realize, "What do I do now?" What about young children and those with limited mobility? How can they be expected to wake up and get out of the door in under four minutes, not taking into account that the fire may be close to an exit point?

There is a common belief out there that smoke detectors are enough to give warnings to individuals. I certainly don't want to discourage anybody from having their smoke detectors, from changing their battery every fall and every spring when we change the clock and keeping them in good working order. But a review of fatal fire data over a three-year period right here in Ontario found that of the 52,990 fires that occurred, 43% of smoke alarms did not work. The reason: missing or dead batteries. Of 197 fatalities, 67% of the alarms were not connected to power, and 5% were remote or separated from the place of fire.

If homeowners are not maintaining their smoke detectors, how can they protect themselves from harm? With the installation of residential fire sprinklers, this risk is reduced as the sprinklers work alongside the smoke detector. As has been said, the heat-sensitive element of the sprinkler detects the heat and releases water in a fine mist. Does it make a mess? Oh, absolutely. And the water coming out is not always the nice, clear water that you want it to be. But does it work? Absolutely. And does it save property? Absolutely. Does it save lives? Absolutely. The sprinkler will suppress or extinguish a



fire, preventing its spread and preventing the production of lethal smoke. As I mentioned before, most of the fatalities come from smoke inhalation. The firefighter will find those people neatly tucked in their beds, with their pyjamas on, covered with dust, and dead. They didn't burn; they died from smoke inhalation. It's a very hard sight and it brings a lot of heartache.

We have an opportunity here this afternoon to make a step in the right direction. We can pass this motion and make sure that new residences have a working sprinkler system in place, for the safety of all of Ontario.

The sprinkler also acts as a first response and allows the time needed by firefighters to arrive and start combatting uncontrollable fires.

I am running out of time here, Mr. Speaker, so all I wanted to say is that New Democrats believe that it's time to step up and protect our homes and our families. We cannot afford to endanger our families and our homes. Even one death to me and to New Democrats is too many. By installing automatic fire sprinklers in our home we can ensure the continuing safety of our loved ones in our homes and in our community.

Thank you, Mr. Speaker. I can assure you of New Democrats' full support for this motion.

**The Acting Speaker (Mr. Bob Delaney):** Further debate?

**Mr. Mario Sergio:** I'm delighted to join the debate and speak in support of the resolution by the member from Brampton-Springdale. She has been a very avid, adamant and persistent pusher, for lack of a better word—she has been very, very strong in pursuing this matter. I'm glad that it's here today and I hope that we'll move it along. I'm pleased to hear the support from the other side of the House as well.

It's quite coincidental that we are dealing with this motion today. Just prior to this one we dealt with another one from our good member from Sault Ste. Marie with respect to breast cancer screening, which was at a younger age for early detection. I guess it is boiling down to the same thing: to save lives. I can see why we have amended the building code, going from three floors and up for new units. I think it makes sense that we deal with all new units, where we offer protection to our people.

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At a time, I have to say, especially to my fellow members here, that we have been pushing to provide more home care to our people, especially to seniors and those who'd like to spend more time at the end their lives in their own homes, to provide more care in their home, which means that we have to provide a safer environment and a safer home as well, we can say in one way that, yes, we'd like to see more of our seniors and people with disabilities spend more of their time in their own home instead of in another facility, and then we don't provide a safe environment. I have to say this: Soon, I hope, I will provide my own private member's bill which indeed will cover all existing retirement homes and all the homes which at the moment are not covered within our own legislation. And it is because of one particular thing: the

cost. Of course there is a cost. But how do we measure saving a life versus the cost? I think this is where the member from Brampton-Springdale comes in. I think she deserves our support. If we compare the cost associated with saving a life, there is absolutely no comparison.

It has been demonstrated and proven. The record and stats are available that a property which is provided with and protected by sprinklers is much safer than one with smoke alarms.

In Toronto alone, statistics tell us that out of all injuries in 1994, 384 were due to fires in residential homes, and 17 deaths, with a loss of \$21.8 million. In 2005: 130 injuries, resulting in 13 deaths and a loss of \$315 million. In 2006, in 13 out of 14 fatalities in residential units, 93% were caused by fire. It doesn't call, it doesn't knock, it doesn't give us a previous warning, it doesn't tell us when, it doesn't tell us where, the time of day, the time of night, whether somebody's there or not; it comes at any time. I think it is time to look seriously at making this change to our building code and provide all our people, especially those who need extra care in our homes, with the necessary and safe environments.

If I may add, there are already 400 jurisdictions in North America where sprinklers are required. So I would love to see, joining our members and the member from Brampton-Springdale, us in Ontario become another jurisdiction where all new housing units will be protected by automatic sprinklers. They are safer when you consider that non-working smoke alarms outnumber no smoke alarm at all, and smoke alarms fail most often when they are disconnected, have dead batteries or are malfunctioning.

I want to leave enough time for my colleague from Ottawa Centre, who also will be speaking in support of this bill. But I hope that at the end, the House will be in support of the efforts that the member from Brampton-Springdale has put into bringing forth this motion for debate here today. I thank you for your time.

**The Acting Speaker (Mr. Bob Delaney):** Further debate?

**Mr. Yasir Naqvi:** Thank you very much, Mr. Speaker, for giving me the opportunity to speak on this very important motion. I want to start my remarks by praising the MPP from Brampton-Springdale for her tenacity on this issue. This is an issue which is very close to her heart, and I think it should be close to all of our hearts because Bill 72 and this motion are about saving lives. I want to congratulate the member for her work. I know she's done a lot of research and a lot of work on this with the firefighters, and I commend her for the work she's doing on behalf of her constituents and Ontarians.

*Applause.*

**Mr. Yasir Naqvi:** Yes, thank you.

This is an important issue. It is about saving lives. It's about saving lives of Ontarians in their homes, making sure that families—children—are going to bed in a safe home, where they do not get caught and lose their lives because of fire, which is something very common. It happens in all our communities.



This is also about protecting the lives of firefighters, people who work very hard in our communities. They go into harm's way to protect our lives, so we owe it to them to ensure that we put in place all necessary measures, that their lives are also protected. Their job is never easy, but we can reduce the challenges in terms of the kind of work and effort they put into making sure that we, as Ontarians, are safe.

I think in this province we've taken a lot of good measures in terms of fire sprinklers. As recently as last year, the building code was amended to require fire sprinklers, water sprinklers, for multi-residential units three storeys and up, which will come into effect as of April 2010—an important step to make sure that residential units are also protected. But what is lacking now is residential homes less than three storeys and whether or not in those new residential homes we should have fire sprinklers.

I wanted to take some time and say that this issue has been very much endorsed by my city, the city of Ottawa, which has been a strong proponent of requiring fire sprinklers in new homes. On April 8, 2009, the Ottawa city council passed a resolution which reads as follows:

"That council:

"(1) Approve that Ottawa Fire Services continue its commitment to maximizing the number of households equipped with working smoke alarms through the Wake Up! Get a working smoke alarm campaign." As you know, it's also very important to have working smoke alarms.

"(2) Petition the province to adopt a progressive, incremental approach to building code amendments to expand mandatory fire sprinkler regulations to high-risk occupancies and residential buildings three storeys or less.

"(3) Communicate to the province that the city supports Bill 72, which would authorize municipalities to pass bylaws requiring the installation of fire sprinkler systems in all new construction including low-rise and single-family dwellings.

"(4) Encourage homebuilders to offer sprinkler systems as options in new home construction.

"(5) Petition the federal and provincial governments to establish an incentive (e.g. rebate) program to encourage homebuilders and homeowners to install fire sprinklers."

As I mentioned, this particular resolution was passed by Ottawa city council on April 8, 2009, encouraging the province and supporting Bill 72—which is tabled by the member from Brampton—Springdale—to become law in Ontario.

The community and protective services committee of the Ottawa city council has done extensive research and work on this particular issue, and on February 24, 2009, issued quite a lengthy report looking at the benefits and the advantages of having fire sprinklers in residential units. Of course, one of the stakeholders—they consulted quite extensively—was the Ottawa Fire Services, which very much supports this particular measure. If I could quote from a summary of the committee report, it says:

"In keeping with a progressive, incremental approach to fire safety, the Ottawa Fire Services recommends that the province be encouraged to expand the mandatory regulations to include residential properties three storeys or less, using a phased approach, until all residential occupancies are protected. Targeting new construction is the most economical means of gradually implementing changes intended to further protect homes and lives from fire.

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"At the same time, the Ottawa Fire Services recommends that the city of Ottawa endorse Bill 72, the Municipal Residential Sprinkler Act, 2008, which has received second reading. It would authorize municipalities to pass bylaws requiring the installation of fire sprinkler systems in new residential buildings, including low-rise and single-family dwellings."

The report goes into looking into the cost impact. Obviously it does reference the Greater Ottawa Home Builders' Association and their concerns that it will increase the cost by \$3,000 to \$4,000 but still comes to the conclusion that that cost is worth having, to ensure that we do protect lives of Ontarians—our families and especially our children—and the firefighters who are put in harm's way.

I'm very much in support of this motion.

**The Acting Speaker (Mr. Bob Delaney):** Ms. Jeffrey, you have two minutes to reply.

**Mrs. Linda Jeffrey:** I want to thank the member from Parry Sound—Muskoka, the member from Nickel Belt, the member from York West and the member from Ottawa Centre for their thoughtful comments today.

I would like to use my remaining time to tell you about something that happened in my riding. Last week, Brampton Fire and Emergency Services hosted the sixth annual Canadian Fallen Firefighters Memorial ceremony in Ottawa. My chief, Andy MacDonald, talked about safety and the supreme sacrifice that close to a thousand firefighters have made while protecting our communities over the years. I just wanted to quote something he said when he was in Ottawa:

"All firefighters bravely protect lives and property in communities where they live and/or work. They take on a role protecting their communities, knowing full well it's a role rife with many hazards. Still they sign on ... they sign on to help others.

"Today, improvements in technology, equipment and training have helped mitigate many of the dangers first responders face. Changes in the quality of personal protective equipment protect our firefighters from almost all fire hazards.

"Improvements in the design and manufacturing of self-contained breathing apparatus make hazardous atmospheres safer. Advances in dispatching and mobile data equipment help get our firefighters on the scene quicker and better, armed with critical information that can make the job at hand easier and less hazardous."

He closes with this comment:

"However, so much more can be done. The mandatory use of residential sprinkler systems would control and



extinguish most fires long before our fire crews arrive on the scene. It will be a move that we know will save countless lives. We will therefore persist in our efforts to impress upon our provincial and national lawmakers how important sprinklers are to the safety of all Canadians.”

I couldn't say anything better. I appreciate the support I received today. I appreciate the advocacy of the fire industry and the sprinkler industry. And to all my other friends who helped on this issue, I appreciate your support. There's more work to be done.

**The Acting Speaker (Mr. Bob Delaney):** Orders of the day.

### KINDNESS WEEK SEMAINE DE BONTÉ

**Mr. Yasir Naqvi:** I move that, in the opinion of this House, simple acts of kindness can have a profound impact on individuals and communities, and therefore the spirit of Family Day should be augmented by declaring the third week of every February as Kindness Week in the province of Ontario to help strengthen a culture of compassion, thoughtfulness and kindness, and to counter a prevailing tendency towards cynicism.

**The Acting Speaker (Mr. Bob Delaney):** Mr. Naqvi moves private member's notice of motion number 87. Pursuant to standing order 98, the member has 12 minutes for his presentation.

**Mr. Yasir Naqvi:** Thank you very much for giving me the opportunity to speak on what is, in my humble opinion, a very important motion, a motion to designate the third week of February as Kindness Week in Ontario.

At the outset I want to do some thank yous. This is very much a co-sponsored motion. I am very delighted to have the support of MPP France Gélinas, from Nickel Belt, for this resolution. She will be speaking to this motion further. I thank her for her full support.

I also want to thank MPP Sylvia Jones, who is not here today and who also very much supports this particular motion. Unfortunately, she cannot be here due to some other personal commitments, but I do want to extend thanks to her.

This is definitely and obviously not a partisan issue; this is an issue about building our communities. This is about ensuring that as Ontarians, as human beings, we extend humanity to each other by doing random acts of kindness.

I have been often asked, “Where did this idea come from?” I really want to take this opportunity to introduce and acknowledge Rabbi Reuven Bulka and his wife, Leah Bulka, who are here with us today from Ottawa. Thank you very much, Rabbi, for coming. He is truly a champion in our community and the champion behind this incredible idea.

Rabbi Bulka is a spiritual leader in Ottawa. He's a community builder and just an all around a good guy, as I like to call him. He is my rabbi, and I am very proud to have his counsel from time to time as he works very hard

in building a great community in Ottawa. In the many years of his work—he's a very knowledgeable man; I was looking at his CV, and it runs to three pages—he has written 30 or so books and he has a PhD from the University of Ottawa.

One of the striking things about Rabbi Bulka is the amount of work he has done in not just in Ottawa but all around in making sure we continue to live in a healthy and safe community where we go beyond the boundaries of religion or ethnicity or gender. He reaches out to everyone to make sure that at the end of the day we are one people and interact with each other with the utmost kindness and humanity.

As a result of the kind of work he has been doing all his life as a spiritual leader, two years ago he started Kindness Week in Ottawa. He partnered with the United Way, our school boards and media outlets—I will mention some of them a little later—and came up with the idea that we need to have a week where we commit, engage or act in random acts of kindness; where we are not just kind to our family members, which is a given—I think we should be kind to our family members, to our neighbours and to our friends—but that we should be kind to everyone, to strangers.

If we see an elderly senior walking down the street who needs help carrying his or her grocery bags, we should not think twice; we should just do it. If we want to help somebody who is perhaps disabled, even if we don't know them, we should take the time from our busy lives and do that act of kindness. So he came up with this idea—something that conceptually, if one thinks about it, we shouldn't have to think about. We don't need a designated week to do random acts of kindness, but sometimes, in our busy, hectic lives, we need to remind ourselves that it is important to think of others.

The first time this idea was undertaken was in 2008, and it was quite a success in Ottawa. Once again earlier this year, Ottawa celebrated Kindness Week with even more success, fanfare and participation. Now the rabbi has a dream to make sure that we have Kindness Week across Ontario, and here we are today making that effort, which I believe is very much worthwhile.

I did mention that I have talked to a lot of my colleagues here today, and some people, you know, sort of snickered—supportive, but saying, “So what is this about?” In Ottawa, of course, this has received a lot of media attention, and I want to read to that point from an article that appeared in the *Ottawa Citizen* on February 16, 2008. Talking about Kindness Week, it says, “If all this sounds a bit silly and sentimental, a tad touchy-feely, well, it's not. The idea reflects long-recognized psychological theories that behaviour can be changed through habituation. In this case, we become more kindly by repeated acts of kindness.”

“That, in a nutshell, is the purpose of Kindness Week, says Rabbi Reuven Bulka, who came up with the idea two years ago and has been working toward this week ever since.”

The article quotes Rabbi Bulka: “This is a chance to make kindness a habit. It's not that we are bad people.



It's just that we get caught up in the hurly-burly of life and we don't think to be kind."

That's exactly what we are trying to achieve here through declaring the third week of February Kindness Week in Ontario.

1510

The third week of February is a great time to observe Kindness Week: first, because the third Monday of every February now is Family Day in Ontario—it's two years in running since 2008. It's a time when—we're in the middle of winter, so it's kind of cold—we get together with our families and really focus on celebrating our families. What better time to observe Kindness Week in Ontario? What better time to instill in our children that it should be a habit that we be kind to everyone, not only those who are familial to us but also to strangers. Hence, the third week of February should be kindness week in Ontario, as is being observed in Ottawa.

I mentioned earlier that there have been many partners in this. Of course, this is a voluntary endeavour. In Ottawa, we've been doing this in co-operation with the United Way, the Ottawa Police Service, the city of Ottawa, Volunteer Ottawa, Interfaith Ottawa, and many social service agencies like the Good Companions Seniors' Centre, Glebe Centre and SCO Health Service. All our four school boards—both English and French, public and Catholic—are involved so that we can get kids involved, and there are activities around kids during Kindness Week. And media outlets such as the Ottawa Sun, the Ottawa Citizen, CTV, A Channel, Rogers and CHIN Radio are also very much engaged in promoting and encouraging Ottawans to be kind during Kindness Week. So we have had tremendous support and activities around that, and the committee has done great work.

I just wanted to give you some example of the kinds of things—small things—that are being done to encourage people to be kind. One of the ideas that has been going on for a couple of years is the kindness card, which carries a pay-it-forward message. More than 200,000 cards are distributed throughout the community at events, in schools, workplaces and restaurants by the Kindness Crew.

We have the Ottawa Police Service giving kindness citations to individuals who are caught being kind during Kindness Week. But these ticket recipients have nothing to worry about because these citations are actually coupons to be redeemed at a local bakery or bagel shop—but again a small incentive to encourage people to be kind.

There is the Drive for Drivers project, where volunteers are recruited so that seniors can be taken for shopping and for their medical appointments. There's also a Kindness Crew bus tour, which basically takes groups and individuals to the Ottawa Food Bank, for example, or Bruyère Continuing Care, Good Companions, the Ottawa Mission—all these great organizations in my riding of Ottawa Centre—so that we can help others who need our help.

The other thing, I think, and probably one of the best parts about this week, is the engagement of our young

people. The organizers of Kindness Week have put together a teacher's guide. In fact, if you go on their website, kindottawa.ca, you can download this—it's about a six- or seven-page document. It outlines different activities for teachers during Kindness Week as to the kinds of things you can do—again, instilling a habit, a habit we should just have regardless, but instilling a habit in our young people: that they should be kind, that they should be caring, that they should be compassionate towards other people.

There are a lot of interesting ideas here for reading and writing and math and science. I'll just highlight a few of them.

For example, one of the ideas is to "ask students to perform an act of kindness for a stranger and then write an essay describing the experience—how it made them feel and the reaction of the person who received their kindness." Make our young people, make our students think about what it means to be kind.

"Learn about how pollution and trash affect the environment, including animals and plants. Discuss how kindness towards our environment can help humans, animals and plants"—taking the concept to a level where we should all be involved, that we are responsible for the earth and the environment we live in, and that we have a responsibility to be kind toward our community, not only in terms of the people we relate with but also with Mother Earth, another notion of kindness that is being encouraged through this program.

My favourite one: "Adopt a nearby park and learn about the ecosystems within that park. Work together to keep it clean and beautiful." This is just to give you some examples.

Actually, I want to read one more for young people that I also like a lot: "Meet with senior citizens and record their memories of the community when they were growing up. Compare their likes and dislikes with those of young people today. Compare prices from then to now"—a simple exercise, but an exercise that I think really puts us in touch with our past, with our elders, to learn from their experiences, especially from those who fought in the war and have ensured our freedom.

I encourage all members to support this motion to declare the third week of February Kindness Week in Ontario. It's a great idea that has come out of Ottawa and that I think we can export to the rest of the province to ensure that we continue to live in a kind, caring and compassionate Ontario.

**The Acting Speaker (Mr. Bob Delaney):** Further debate?

**Mrs. Elizabeth Witmer:** Certainly I would support the private member's motion that has been put forward. It is important, obviously. I believe that people in the province of Ontario have a history of being very kind, very compassionate and very thoughtful toward one another.

We only have to reach back to the pioneer days and remember the early pioneers who settled here—people from many different countries and many different cultures—and how these individuals and families worked



together to build their homes, clear the land and build towns and communities.

In my own community I am surrounded by the Mennonites, and their culture is all about helping one another, continuing to demonstrate compassion and kindness and thoughtfulness.

If we take a look at the many service clubs in our community—whether it's Rotary, Lions, Kiwanis, Kinsmen, Kinettes, and the list goes on and on—throughout the time they have been established in the province of Ontario, many of them originating elsewhere, certainly the reason for their being is to show their support for their fellow citizens and to raise funds for their fellow citizens in order that the quality of life not only for people in our own province but throughout the world can be improved. I think the people in Ontario and Canada have a tradition of demonstrating kindness, compassion and thoughtfulness toward their fellow citizens.

I'm pleased to learn what is going on in the city of Ottawa, and I appreciate the role the rabbi has played and appreciate his being here. However, I would say to you that our community, Kitchener-Waterloo, also has a day. In November this year we will be celebrating the second Random Act of Kindness Day.

What I like about what has happened in Ottawa and in Kitchener-Waterloo is that these have been spontaneous. I don't think you can dictate to a community or to people that they undertake activities. I have been so impressed with the enthusiasm of the Kitchener-Waterloo community. This day originated last year, under the auspices of the Kitchener and Waterloo Community Foundation and their CEO, Rosemary Smith. Basically, it was a huge success because it was a grassroots initiative and people were encouraged to participate and to do for others and demonstrate, in some small way, an act of kindness to another individual.

1520

What happens in our community—people are given the opportunity on that day to slow down from their busy lives and to express appreciation and say thanks. We live, in my community, and I believe other communities, where there's so much kindness happening every day. What we do, in that Random Act of Kindness Day, is we take that opportunity to recognize when somebody does something nice for us, but our citizens are also encouraged to do something in return.

We circulate cards throughout the community. The cards are going to encourage the cardholder to perform a simple act of kindness for someone. It could be a neighbour, it could be a friend, a co-worker or, often, somebody you don't even know. You do something, then you hand the card to the person and you encourage that person to do something kind for someone else. So you pass it on.

I can tell you, for last year's inaugural Random Act of Kindness Day, there were businesses, there were organizations, there were schools, there were individuals and there were members of our media who took up the call to do something nice for their fellow citizens.

"It was exciting to see ... people—young and old—making an effort to be friendlier and nicer to others on that ... day," said Debb Ritchie, who is chair of the Friends of the Foundation Committee, a group of volunteers who have been spearheading this initiative along with the Kitchener and Waterloo Community Foundation.

As the member has said, there are so many different ways in which you can demonstrate and do a kind act. You can buy someone a simple thing like a coffee. You can congratulate somebody on a job well done. You can act as a sounding board for another person, perhaps somebody who's not having a really great day, or someone that you know has some issues that need to be dealt with. You can do something as simple as holding open a door for someone who has their hands full. But no matter what it is, a small or large act of kindness, you have that opportunity to connect with another human being in your community, to give them the card and to encourage them to do something else for someone that day.

This year again we're going to make available to people in Kitchener-Waterloo those cards, give them the chance to touch the life of another person and do what they can to make our world a better place in which to live. This type of activity, which the member is encouraging and has happened in Ottawa, gives everybody a chance to put a human face on our community.

This week, on Monday the 14th, we launched the Random Act of Kindness Day for this year. Ms. Smith was there, the media was there, the Bank of Montreal was there, the Kitchener-Waterloo Record was there, law firms were there and RIM was there. Basically, it was to raise the public awareness campaign in advance of Random Act of Kindness Day, which this year is scheduled for November 13, and to also encourage the media to do what they could to encourage everybody in our community to participate.

It's impressive how in one year the enthusiasm from the public and business and the media has grown. I guess that's what it's all about. Hopefully, someone in communities throughout the province of Ontario, and perhaps with the urging of this bill, which wants to proclaim a week in February as Kindness Week, will take the initiative and make sure that whatever happens in that community responds to and reflects what that community would like to be doing.

I think it is certainly worthy that we would continue to do what our ancestors before us did, and that is to demonstrate our love, our concern, our caring and our compassion to our fellow human beings.

For many individuals on that day, just having someone smile, buy them a coffee, open the door, tell them they've done a good job—it's simple things like that that I can tell you certainly make a difference to the way somebody feels about themselves.

So I would support this initiative. I'm just wondering now what this is going to do to our tradition, for the second year, of celebrating our Random Act of Kindness Day in November. Are we going to move to February? I don't know.



**Mr. Dave Levac:** Every day.

**Mrs. Elizabeth Witmer:** Every day. My colleague from Brantford has just said—and I have a lot of respect for my colleague from Brantford—we should be celebrating doing unto others as we would have them do unto us.

So I applaud the member for bringing it forward, I applaud the rabbi who played a role, and all the others who have been involved in Ottawa, and certainly the people in my community of Kitchener–Waterloo.

**The Acting Speaker (Mr. Bob Delaney):** Further debate? La députée pour Nickel Belt.

**M<sup>me</sup> France Gélinas:** Je crois que c'est la première fois qu'on me reconnaît en français. Je l'apprécie beaucoup; merci.

I am very pleased to co-sponsor the Kindness Week motion with the member from Ottawa Centre. When the member first approached me about that idea I thought instantly, "This is a no-fail. This is a good idea. This is something that I support, and I'm sure this is something that everybody in this House can support."

The motion reads: "That, in the opinion of this House, simple acts of kindness can have a profound impact on individuals and communities, and therefore the spirit of Family Day should be augmented by declaring the third week of every February as Kindness Week in the province of Ontario to help strengthen a culture of compassion, thoughtfulness and kindness, and to counter a prevailing tendency towards cynicism."

I put my signature on this. How can we go wrong? This is something good, and this is something that each and every one of us should actively promote.

It is also very fitting that in the darkest and coldest days of the winter, we should recognize acts of kindness to remind all of us that we are part of a caring community right across this province. I live in northern Ontario, and let me tell you that February in Nickel Belt tends to be really, really cold. It is also a time of the year when people are very much aware that you need your neighbours, you need the people around you to keep you safe. Most of the roads in Nickel Belt don't have lights; it is pitch-dark at 4:30 or 5 o'clock. But I can tell you that if your car or truck breaks down, the next car or truck that comes around is going to stop and help you out, because you never know if next time it's going to be your car that breaks down when it's 40 below, it's pitch-dark and you don't know what's wrong. Those are little acts of kindness, and I think it is very appropriate that we're going to be putting a special emphasis on kindness during the harshest winter months.

At that time of the year, you realize how vulnerable you can be, especially if you're outside in the elements. You also recognize how we depend on one another, as the member from Kitchener–Waterloo said. In days past, people realized how much they were interdependent. They were maybe more forward with acts of kindness. Well, it is time to bring this back, because acts of kindness are a good thing throughout the year, but to make a point of celebrating them, we make them more important.

We put a realization that kindness is something important and it is something that is worth celebrating and mentioning, and this is what we'll be doing in Ontario in the third week of February.

**1530**

I think of the countless acts of kindness that people show to each other every day in my community and every day in the large riding of Nickel Belt. Nickel Belt goes to the north to Foleyet and Metagami; it goes to the south to the French River, by Alban and Estaire; it goes to the west to Walden and Whitefish and Beaver Lake; it goes to the east to Coniston and Wahnapiatae and Skead and Garson and all of that area, for those of you who know northern Ontario. But there is something that binds us all together. We are all residents of Ontario, we're all proud to be, and we're all kind to one another, some of the time. This motion is to make it most of the time.

I want to recognize Wayne Earl, a resident who helps his neighbour clear the snow. His neighbour—across the street, actually—is elderly. He has been doing this for years and I'm guessing he'll be doing it for a long time to come. He doesn't get paid for it; he doesn't ask for it. He just does it. He has a snow blower and the other guy is a little bit elderly and certainly would not be able to shovel. So Wayne just goes out and does it.

I also know Léo, who drives my neighbour on the right side of my house, who has to go for dialysis. She has kidney problems. And one of my other neighbours drives her to the hospital, which is a good 25 minutes' ride from where I live. I can name you many other people who do this.

It doesn't have to be a big act of kindness. We've talked about keeping the door open. We've talked about buying a cup of coffee, giving somebody a chance to talk to you if they don't feel quite up to snuff that day. We could talk about community members who band together and provide very generous support to fundraising activities to assist other community members who need help due to illness, a fire or a personal tragedy.

We had a corporal—Corporal Kerr, actually—who was deployed in Afghanistan and suffered a horrible injury. He lost both his legs and one arm. He's now in rehab but will be coming back to Sudbury this fall. The community has organized a fundraiser to help build an adapted house that he can live in with his family that will accommodate the disability that he sustained in Afghanistan. There are hundreds and I hope by now thousands of people who are gathering pledges to help Corporal Kerr so that he can come back to Sudbury as a hero.

As I mentioned, Nickel Belt is made up of many communities that exhibit the true northern Ontario hospitality and a genuine sense of caring for one another. There are numerous examples of kindness each and every day throughout Ontario and throughout the province, but what this motion would do is—not that we only need to be kind that week, but that we would recognize it; we would make it important.

I can still remember many years ago—I was a new driver at the time, so that's more than 20 years ago—they



had this program called “pay it forward.” I had never heard about it, but it was at the time where you had those toll booths. You would drive your car on a new highway and all of a sudden you had to stop, throw 25 cents in that little basket, and there was a person sitting there watching you throw your little 25 cents in the little basket, and then you would be free to go again. Well, when I came to the little basket, the light was already green, as if I could go. So I was rather surprised—happy and surprised. Then the person standing there told me about pay it forward. I didn’t know what that was. It was basically that whoever had been in front of me had paid it forward. He—or she, because I never knew who that person was—had put 25 cents in the basket for me so that I could just zoom through.

It was my first encounter with pay it forward and I thought it was a darn good idea—good enough that I put my 25 cents in the basket and said, “Well, here you go. For the next person who comes up, they can pay it forward also.”

I had two friends with me in the car at the time, and we talked about it for a good half hour. Just because whoever that was had done this random act of kindness—he or she had put 25 cents in the basket for me—we were all a little bit happier. We all felt special that somebody had done that for us, not knowing that it would be us who would be the next car going through. Here, again, was an opportunity to talk about being kind and how once you start to talk about it, it kind of motivates people to continue being kind and doing other acts of kindness.

Now, I see that the time is running away. I also want to recognize Rabbi Reuven Bulka and his wife, who started Kindness Week in Ottawa two years ago as a way to re-engage the community in random acts of kindness and compassion. It was a good idea, and I think your leadership will pay off throughout the province of Ontario, from the nods that I’m getting from the people around here. It is, I guess, an idea whose time has come, because everybody seems to be on board.

He meant to strengthen a culture of compassion, kindness and thoughtfulness and to prevent cynicism, which we see so often. Kindness Week is about getting people to think about how they can be more kind in their own lives and therefore encouraging all citizens to engage in acts of kindness throughout their lives.

We sometimes have problems in some of our schools in Sudbury with kids being bullied, and one of the programs to change this is called the Roots of Empathy. I think that this program can also have an impact because if you teach young children how to be kind, it becomes a habit that they will carry for all their lives. If they are kind, they will have more friends. They will have a better social network that will help them stay healthy longer and grow up to be happy, productive, healthy adults. We all know that social inclusion and social networks are such important determinants of health. Those are the kinds of seeds that keep people healthy if we plant them into our young people.

This has an opportunity to do great things. Will it change the world? No, I don’t think so, but I’m hopeful

that it makes us reflect on how we, as individuals, are part of our community and we can perform acts of good for others in our community. We can be kind, we can be caring and we can be compassionate, and we should take time to realize that.

Ça me fait plaisir d’appuyer la proposition, que j’ai traduite par la Semaine de bonté. Vraiment, c’est une semaine pour nous permettre de reconnaître la bonté, l’empathie et la compassion chez nos collègues.

**The Acting Speaker (Mr. Bob Delaney):** The member for Stormont–Dundas–South Glengarry.

**Mr. Jim Brownell:** It’s certainly a pleasure this afternoon to have a few minutes to speak on the motion by my good colleague from Ottawa Centre. I’m very thrilled that this is an idea that’s being built on the good work coming from eastern Ontario. With my riding being in eastern Ontario and Rabbi Bulka and his wife being here, I’m quite excited about that and excited that the member from Ottawa Centre has taken that idea and the expressions of kindness that we see every day, and is building on them to recognize a very special week in the province. I congratulate you on that.

I would be remiss this afternoon if I didn’t mention, and especially through the technology of the cameras over there picking up this debate and sending it through the waves back to Long Sault, my mother, who would say that this is an important bill. My mother spent two and a half months this summer in the hospital, and when I think of the daily acts of kindness that were given to my mom and the daily acts of kindness that continue to be extended through the caregivers and family and friends as she convalesces at home—you know, this is important. Some may say this is a fluffy little motion, but it is an important motion.

1540

As a retired schoolteacher, I instilled the idea of kindness in my students. I’d think, too, of every year having, during our carnival, a Kindness Day, when we recognized and thought about those random acts of kindness that we expected our students to do.

It also builds on, when I think of businesses around the communities—Durant’s Flowers. They’re members of FTD, the Florists’ Transworld Delivery service, and once again, on September 9, they took part in Good Neighbour Day. This is another example of where in our communities we want to instill that idea of kindness. With that initiative, they give away a dozen roses. You keep one and give the other 11 to people who should be recognized, and most of it’s for the kindness they do—to those who receive the flowers. So I think it’s wonderful to see.

Just a few moments ago I saw a random act of kindness here in the Legislature, when my good friend from Brant gave up a little bit of his time this afternoon so that somebody else would be able to speak on this motion. So it’s being demonstrated right here in the House.

I want to congratulate the member and wish him well, and I’m sure this will receive all-party support here in the Legislature.



**The Acting Speaker (Mr. Bob Delaney):** Further debate?

**Mr. Phil McNeely:** I'm pleased to join in the debate in support of Kindness Week. I'm especially pleased to support this motion by my Ottawa colleague MPP Yasir Naqvi. It's an idea that was started in Ottawa by our own Rabbi Bulka, and I'm pleased to see that he has taken the time, with his wife, to be here today for this important motion.

The opposite of being kind, I suppose, is bullying. We know that anti-bullying is being taught in our schools. It is an issue that is very important. What we're doing here today, I suppose, would show some leadership there, because we don't often show in our lives that many good examples of kindness to our youth. There's not enough evidence of that kindness in our daily lives. If you follow the media, meanness seems to reign many times.

In our own community, I think people from Ottawa would know that Max Keeping is always rewarding and praising individuals who show kindness, especially those showing kindness to children in our community. So, Max, you're leading the way and we certainly will try to follow.

Establishing this Kindness Week, the third week in February, near Family Day, sounds like a very positive action. Let's help the work of kindness, promoting that it goes on in our schools, and show the good example to our youth. In today's tough economic times, it is especially important to look around and show that extra kindness to our families, friends, neighbours and to the larger community.

I challenge all of the members here to organize a Kindness Rewards Day in their community, tied closely to Family Day, where acts of kindness are acknowledged and rewarded, possibly with kindness medals. That would be a different type of medal than I've been used to.

Thank you for the opportunity to speak to this today. I know that the motion being presented here and the success it has had already in Ottawa will change Ontario to a certain degree.

**The Acting Speaker (Mr. Bob Delaney):** The member for Davenport.

*Applause.*

**Mr. Tony Ruprecht:** Thank you for the applause.

I wish to thank the hard-working member from Ottawa Centre and Rabbi Bulka for bringing this very thoughtful resolution forward.

Even while thinking about my small presentation today, I felt that some positive feelings came about, and I asked myself, "Why? Even thinking about kindness, you feel better." That's because kindness cannot be separated from other emotions. It belongs and lives with a family of positive emotions. If you had a choice, what kind of family would you rather live with, one that stresses kindness, forgiveness, gratitude and compassion or one that lives with fear, egotism, hate and cynicism? Those are the choices that we have. We can't choose which family we want to belong to, but certainly we have a choice in what way we want to structure our own

families and what we want to teach our own children. Let's therefore resolve to build these positive emotions, because we can have this choice.

In short, just the thought of kindness affects the body. As the member from Nickel Belt indicated, it has a direct effect on the health of the individual. Just think of a simple thought; the body will follow up with substantial changes. For instance, a scary thought will give you, or most of us, goosebumps, and the consequences follow up. An erotic thought will cause blood to rush into certain parts of your body. An embarrassing thought will turn you hot and red due to sort of a chemical shower in your face. Even the perception of danger, just the perception of danger or the perception of kindness—just the perception alone will cause a chain reaction of neural and hormonal changes, putting your body in a state of readiness. If it is a question of fear, of course, the body will get ready to act, to run away or to fight. It's the fight-or-flight response. Your heart will beat faster. More fat and cholesterol and sugar are pumped through the bloodstream. Your stomach secretes acid; hormones are released which can jam your immune system. All kinds of changes take place by a simple thought.

Imagine: We have a choice of what to think and how to think—a thought of kindness or a thought of fear, dislike or hate—but the changes in the body, as the member from Nickel Belt indicated, will take place no matter what thought you choose to think. Imagine how powerfully a thought affects the body. Consequently, it is easy to see what kinds of thoughts and what kinds of feelings and what kinds of issues we should have with our own minds. It is easy to see.

If I had time, we would hook ourselves up to a lie detector test and there we could really see what's going on, because the monitor in the lie detector test shows you that the very small thought of a lie shows up on the monitor—wow. So here we have a direct relationship of how a minor thought—not even an emotive or a big emotional thought; just a minor thought—affects every cell in your body, because it shows up on the monitor. Think about that. That's powerful.

So we have a choice to make: a choice for the positive emotions or a choice towards the negative emotions.

Let's talk very briefly about the kinds of kindnesses in the office or the acts of kindness here, or the acts that we can adjust to anxiety as well, in stressful experience—I'm looking at the members at the table, because they have to be in an office environment right now. Even they, if they're anxious, because the body reacts to anxiety and feelings of that kind, are under stress. The stresses, therefore, are directly affecting their bodies.

How does that affect society as large? Let's have a quick look at that. We can see, for instance—I've got some statistics here—that in 2006 a survey was done that shows that more and more of the working population suffer from stress, anxiety and depression. In fact, 62% of full- and part-time employees—that's massive—experience a physical health problem resulting from stress, anxiety and depression, and they maintain their daily



work routine. In fact, it says here that they essentially come to work ill. So acts of random kindness will help all of us to get better and make all of us feel better.

Today, in an era of wireless communication devices such as hand-held devices and laptops, according to the survey, 83% of Canadian workers who rely on these electronic tools for the job said that these tools increased their stress levels, causing them to live their lives on call. So my friends, in short, it is easy to see what kinds of thoughts we should be thinking.

It is also easy to see, as the member from Kitchener–Waterloo indicated earlier, that it is really in the tradition of Christianity—and for that matter, Judaism—that acts of kindness are encouraged. It was the great master of Christianity, the son of God, who actually said to love your God with all your heart, with all your might, and then something much more important for us right here in terms of this bill, and that is to love your neighbour as yourself. To that end, we are reminded to do that on a daily basis, and this bill might do it. Thank you very much.

**The Acting Speaker (Mr. Bob Delaney):** Further debate? Mr. Naqvi, you have two minutes to reply.

**Mr. Yasir Naqvi:** Thank you to all the members for their kindness. I really do sincerely appreciate it.

I want to especially thank the member from Nickel Belt for her enthusiasm and support for this resolution, my first endeavour in having a co-sponsored motion, and I think it was a success, so thank you very much to MPP Gélinas and also to MPP Sylvia Jones for her support. It is unfortunate that she can't be here.

But I think from what we heard in the discussion, we can see that, in our communities, we are already doing a lot of great things. We are already taking steps to make sure that we live in a kinder and gentler community. I was heartened to see the new initiative starting in Kitchener–Waterloo, through the member there. Hopefully we can work with the rabbi and see if we can consolidate all these different events that are taking place in our various communities to foster and promote kindness and observe the third week of February, along with Family Day, as Kindness Week in Ontario.

But at the end of the day, I think the idea is that we continue to live in a kind society where hope and humanity is the motto, is the manifesto by which we operate towards each other; that we don't use any artificial barriers—that I don't know this person, or this person is of a different background—as a means of keeping away from each other, but actually rely on our humanity, our common bond, to be kind to each other.

So I very much appreciate all the members' support for this motion. I encourage you all to please, if this motion is passed in a few minutes from now, go back to your communities perhaps speak with various religious institutions in your communities, perhaps with the United Way, and consider having a Kindness Week in your community in the third week of February so that we can all share the same message across the province. Thank you very much.

**The Acting Speaker (Mr. Bob Delaney):** Thank you very much. The time provided for private members' public business has expired. We will deal with the ballot items after a brief recess until 4 o'clock.

*The House suspended proceedings from 1553 to 1601.*

## BREAST CANCER SCREENING ACT, 2009

### LOI DE 2009 SUR LE DÉPISTAGE DU CANCER DU SEIN

**The Acting Speaker (Mr. Bob Delaney):** Members, please take your seats. We will deal first with ballot item number 25, standing in the name of Mr. Orazietti.

Mr. Orazietti has moved second reading of Bill 200, An Act to increase access to breast cancer screening. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Bob Delaney):** Mr. Orazietti.

**Mr. David Orazietti:** I'd ask that the bill be referred to the Standing Committee on Social Policy.

**The Acting Speaker (Mr. Bob Delaney):** So ordered.

## FIRE SAFETY

**The Acting Speaker (Mr. Bob Delaney):** We will deal next with private member's notice of motion number 105.

Mrs. Jeffrey has moved private member's notice of motion number 105. Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

**Hon. James J. Bradley:** Wouldn't it be nice if the federal House was like this?

**The Acting Speaker (Mr. Bob Delaney):** Peace is in the air.

## KINDNESS WEEK

**The Acting Speaker (Mr. Bob Delaney):** Finally, we'll deal with private member's notice of motion number 87.

Mr. Naqvi has moved private member's notice of motion number 87. Is it the pleasure of the House that this motion carry? Carried.

*Motion agreed to.*

**The Acting Speaker (Mr. Bob Delaney):** All matters related to private members' public business having been completed, I do now call orders of the day. The Minister of Aboriginal Affairs.

**Hon. Brad Duguid:** I move adjournment.

**The Acting Speaker (Mr. Bob Delaney):** The minister has moved adjournment of the House. Is it the pleasure of the House that the motion carry? So ordered.

This House is adjourned until Wednesday, September 23, at 9 a.m.

*The House adjourned at 1603.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
Brotten, Laurel C. (LIB)	Etobicoke–Lakeshore	
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
<b>Cansfield, Hon. / L'hon. Donna H. (LIB)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture
		Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
<b>Crozier, Bruce (LIB)</b>	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée
		Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
<b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
		Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement
		Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Flynn, Kevin Daniel (LIB)	Oakville	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>Fonseca, Hon. / L'hon. Peter (LIB)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
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Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>Munro, Julia (PC)</b>	York-Simcoe	First Deputy Chair of the Committee of the Whole House / Première vice-présidente du comité plénier de l'Assemblée Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Orazietti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener-Conestoga	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin-Middlesex-London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough-Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches-East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London-Fanshawe	
Ramsay, David (LIB)	Timiskaming-Cochrane	
Rinaldi, Lou (LIB)	Northumberland-Quinte West	
Runciman, Robert W. (PC)	Leeds-Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton-Mississippi Mills	
Tabuns, Peter (NDP)	Toronto-Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga-Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton-Kent-Middlesex	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West-Nepean / Ottawa-Ouest-Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth-Wellington	Minister of Revenue / Ministre du Revenu
<b>Wilson, Jim (PC)</b>	Simcoe-Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
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<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakubski, John (PC)	Renfrew-Nipissing-Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	
Vacant	St. Paul's	



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Norm Miller, Khalil Ramal  
Peter Tabuns  
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Kevin Daniel Flynn, France Gélinas  
Helena Jaczek, Sylvia Jones  
Jeff Leal, Liz Sandals  
Maria Van Bommel  
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Publications



No. 164

N° 164

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)



Wednesday 23 September 2009

Mercredi 23 septembre 2009

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
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Publié par l'Assemblée législative de l'Ontario

# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 23 September 2009

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 23 septembre 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

*Prayers.*

## ORDERS OF THE DAY

### PUBLIC SECTOR EXPENSES REVIEW ACT, 2009

### LOI DE 2009 SUR L'EXAMEN DES DÉPENSES DANS LE SECTEUR PUBLIC

Resuming the debate adjourned on September 17, 2009, on the motion for second reading of Bill 201, An Act to provide for review of expenses in the public sector / Projet de loi 201, Loi prévoyant l'examen des dépenses dans le secteur public.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. John O'Toole:** It is a real pleasure to be back in the Legislature after a couple of days of paying attention to rural Ontario. It is my privilege as the critic here to address the opposition's response to Bill 201. I would imagine that most members have had the opportunity to review the bill and to consider what it indeed intends to accomplish. In the very limited time I have, which is about an hour, I will try to spend a considerable time on the merits of the case, and also some glaring examples of where this legislation may not be the appropriate way to deal with the issue.

We reserve judgment, as the opposition party. What we are impressed with is the urgency at this time for the government to start to speak towards and address the issue of accountability and transparency, which they talked about in the election in 2003 endlessly but have done very little about, after the lottery scandals and the—you could call it the summer from hell. Well, it isn't from hell; it's the summer of a lot of scandals that erupted while they were out vacationing.

Without trying to be trivial, I just want to read the explanation and purpose clause here; it's very important. "The purpose of the Public Sector Expenses Review Act, 2009 is to enable the Integrity Commissioner to review the expense claims of certain persons who are employed in or appointed to public entities." I'm wondering why they have to appoint an arm's-length agency in the first instance. The reason I say this is that it has been the

tradition for 100 years or more in this place and other Legislatures that the minister who is acting on behalf of the crown is in fact responsible for due diligence and oversight. After all, the ministers themselves don't actually run the ministries. They appoint qualified, legitimate people whom I have the highest regard for, our public sector civil servants, to actually run the day-to-day business. These are large corporations. In fact, if you look at it, Mr. Speaker—you'd be very familiar; you've been here many years—you would know that the budget is now over \$100 billion.

In that, there is an executive committee, much like a board of directors: cabinet, who are really the government officials who set the policy direction and allocation of resources to the execution of these policies. In that, they have oversight. We would all agree, I think on both sides, that the ministry and the cabinet—specifically Premier McGuinty, respectfully—have the final say. As the old saying goes, the buck stops here. I think it was a famous US President who said that. In this case here, just reading the first phrase in this explanatory note, it would appear that they are going to skate around, blur or just transfer some of these important responsibilities to an arm's-length agency, the Integrity Commissioner.

Now, having been a member here, as all members have—mine is closing in on 15 years, which I have enjoyed and hope to continue to enjoy, at the leisure of the people in the riding of Durham, of course—I have to file a report to the Integrity Commissioner each year, which is due this weekend; I remind members to get those forms filled in. It's sort of like doing your income tax twice. I don't see why we don't just send in our income tax; I mean, I've already done that and paid for it. But anyway, I'll get on topic here.

We all know that we have the highest regard for the Integrity Commissioner's office and the work they have done. I'll refer to a specific case here shortly. The work they have done is commendable and a good point of reference as a resource to the minister, who could actually consult with them from time to time on issues. In fact, I think this minister has consulted with past Integrity Commissioners on various issues personally, because he has been a member of cabinet for most of his time here—I think all of his time. In fact, I would say he has worked very hard at being a minister, and I think in this case here perhaps the Premier is shuffling it off to him to sort of make sure this thing isn't getting a lot of press.

It really is, ultimately, our opinion that the ministers, the Premier, cabinet as a whole and Management Board—I think they have the qualifications to have the



oversight, the ability and the integrity, hopefully, to do the job. But it appears that there are a few times, with OLG and eHealth, that they haven't done the job—it appears. The Premier had promised that they were going to get PricewaterhouseCoopers to look into it, but they didn't. Maybe they were afraid of what they'd find. I have no idea.

Does the Premier have to agree with the advice of this arm's-length agency, whether it's from the WSIB, the Workplace Safety and Insurance Board—do they have to agree? No, they don't actually have to agree. They can take the advice and they can shelve it, file it, look at it, refer it. They can do lots of different things with it. They don't have to follow with direct action on these things from these outside, arm's-length agencies.

But I'll go on here: “Any entity in the public service in Ontario or in Ontario's broader public sector may be prescribed in the regulations as a public entity that is subject to this act. An expenses officer will be prescribed for each public entity (separate expenses officers maybe prescribed for employees and appointees). This individual is required to submit the expense claims of certain persons designated in the regulations to the commissioner for review.”

Now, it's my understanding that the commissioner's office today has under 10 employees. I know a couple of them personally because I've been there and actually consulted; I think they're terrific people, with integrity as the number one thing on the checklist of what I think of them. It's my understanding that there could be as many as, say, I don't know, at least several thousand people who would be required to submit these expense reports. If they do them, say, 10 times a year, there could be hundreds of thousands of these expense reports that have to be filed. I just can't imagine the amount of paperwork and how many accountants they're actually going to need.

0910

To get qualified accountants, chartered accountants, CAs, CGAs—they're also qualified as far as I understand—and CMAs, certified management accountants—these people should probably make, let's say, \$70,000 to \$200,000 a year. I'm concerned that they are creating a whole new bureaucracy here, like huge, perhaps as many as hundreds of these qualified professional auditors to overlook these.

What's missing here is leadership in the first instance, saying, “Look, let's start.” I think that the ministers—I know that each of us, if we have expenses each month, are required to file, Mr. Speaker, and I'm sure you do, with the exception of the Speaker's office, of course. They don't have to file. They can file but they're not public. I think they should be public. I'll say on the record today that any of these trips, junkets—sometimes Peter Kormos calls them junkets—should all be public. After all, we are in the trust of the public, spending public money, and we're saving it.

On the explanatory note—I don't really have quite enough time to get through the whole bill because of

some of the opinions I have on it—“The Commissioner may review the expense claims of designated persons for each public entity and determine if the claims are allowable in accordance with standards set out in the regulations. These regulations may incorporate by reference government of Ontario policies and directives.”

I worked for a large company—I won't mention the name because it's not the same company any longer—for 30 years, and we always had to file expenses. There were clear directions on what the meal allowance was. There were clear directions that there was no alcohol involved, period. You are representing the corporation, you shouldn't be involved in it, and I endorsed that and followed those rules for 30-plus years at the company I was with. I did travel to various parts of the world, and I did so with some apprehension. When you went to other countries that weren't as safe as Canada—let's put it that way—but I always at the end of that filed an expense report. They were audited, generally by the accounting department. There were clear rules. We were given a manual—“Here are the rules.” If you are in violation of those rules, I think there should be consequences for breaking the law. I think in this case here, I would assume that the Premier—well, it's the Minister of Finance who fired the person from OLG.

Now, it's my understanding that the person from eHealth—some of these people are going to sue the government. It's my understanding that they've filed a claim and these claims are going to ask for \$8 million. If you looked at it, it looked good. It really looked good that the Minister of Finance stepped up and fired the people, like it's very decisive action. But was there just cause? Because in here they're admitting that they are going to set out in regulation what is an appropriate expense. Did they not give them clear instructions? People making \$200,000 a year plus—I think she was making \$400,000. It's an unbelievable amount of money and it is questionable what they actually did.

In the lottery business, OLG, I'm even curious why they have such a big bureaucracy. I can't imagine why they have these people. They are all appointments, of course, and I think those appointments are sometimes people who know the government, sometimes they're friends of the people who know the government and sometimes they're just friends of the government. It doesn't mean they aren't capable, I suppose, and that isn't my job here. My job here is not to cast aspersions on any of these, but I would expect a person with a job making \$400,000 a year—one example is that they spent \$25,000 on one speech. This one this morning is free but, of course, you often get what you pay for.

My point here really is that \$25,000—my goodness, I think for some of the clerical people that's all they make in a year in this very building. If I look at the young pages here this morning, and I might suggest that—I have a page from my riding and I'd like to take time just to mention that. So far, she has done an impressive job and, as far as I am concerned, has no expenses to be reported at this time.



In the event that they designate in regulations who should report what—I know that there is a statement of our entitled expenses; I have a copy with me now. It's out there now. I don't know what this new set of rules is all about, except to clarify the rules that exist. They have existed for many years and, I think, have been well done. There have been occasions; I remember that Cam Jackson was accused, and in fact resigned from cabinet.

This leads to the diceyness here. This is the nuts and bolts of this legislation. Does the commissioner's ruling have to be followed by the Premier? Should a person be sanctioned in some way for a breach of the rules—that, ultimately, is the question as we see it—or is this just a way of obfuscating or getting around the rules? In my view, the minister isn't running the ministry on a day-to-day basis. He's directing, in a policy sense, and allocating resources, which is very important—don't get me wrong—but he's not running it; he's not directing traffic. Chief Fantino is doing that on the highways, and he's probably running more than that. But he's certainly running that much, I know for sure, and, I would say, pretty much doing a safe job. And I'm happy that they're going to be implementing this ban on the use of cell-phones while driving. I think that's very important, and they're going to have a tough time enforcing that. But there is a case where there are rules and you have enforcement and you have consequences. That's why this relates to Bill 201, which I'm discussing this morning.

I'm going on to the next explanatory note in the very limited time that's left. "If the commissioner determines that all or part of a claimed expense is not allowable, the commissioner shall notify the expenses officer"—there are two layers of bureaucracy here: the commissioner, who is going to do the audit, and the expenses officer in the ministry. Why don't they just give the expenses officer the authority to say, "Look, you're claiming alcohol here; not allowable. Please return the money." And if it's not, they should be sanctioned somehow, depending how expensive the wine was.

The commissioner may review the expenses of the designated person for each public entity and determine if claims are allowable in accordance with standards set out in regulation. If the commissioner determines that all or part of a claim is not allowable, the commissioner shall notify the expenses officer and may require repayment of all or part of the expense and may recommend other remedial action—hmm, remedial action. Have them read the instructions on expenses again, perhaps.

"The expenses officer is required to report back to the commissioner as to whether the expense has been repaid or the remedial action undertaken." Talk about red tape. Who's got the button here? Do you understand? We've got the ministry and their own person who's looking after this stuff; we've got the minister overseeing that, who would see and approve expenses that exceed a certain amount or special trips outside the province, probably for valid reasons, but they should be able to say, "No, you can't do this or that." Maybe you shouldn't be able to travel first class or whatever it is; I don't know what the rules are, exactly.

The point is, there are a lot of layers here. There's the minister's oversight within the ministry, and I get that; I think they're qualified people. All I'm asking is that they step up and do their job. If somebody within the ministry is allowed to break those rules, they should be sanctioned, and it's up to the minister and the Premier to deal with that. Now we've got this other person, the Integrity Commissioner, whom they can blame: "Well, the Integrity Commissioner didn't report." What's that about? It's just another layer of bureaucracy to hide from the obvious thing of the executing of your duties.

"Each year, the commissioner is required to give a written report about his or her review of expense claims under the act to the Speaker." Now they're implicating the Speaker; that's your office, Mr. Crozier. "The commissioner also has discretion to make a public report respecting any matter related to the commissioner's functions under the act." If they're anything like André Marin, the Ombudsman, I hope they take advantage of that ability to issue these reports. They would be noticed a lot more than most commissioners, let's put it that way, and maybe they'd do it to be noticed; who knows? But if they're making a valuable contribution to the public oversight, I think that's good. In this case here, I think that—in any case, a member under the integrity act today, any member, can make accusations, but they have to be substantiated or at least able to stand the test of credibility by the Integrity Commissioner.

#### 0920

In fact, that was done in the past, which leads to the second part of my remarks, which I hope won't come across as unkind or unfair, but they are part of the public record and as such they should be read. This is a report issued on January 4, 2006, to the Legislature. It goes to the Speaker, as this legislation would, and it's the Office of the Integrity Commissioner report from the Honourable Coulter Osborne, Integrity Commissioner of Ontario, re the Honourable Harinder Takhar, Minister of Transportation and member for Mississauga Centre. It's a very long report. There was an accusation launched—and this isn't to be mean-spirited. We're talking about this very office and this very minister, and the role of the Integrity Commissioner. I don't want to get too far out on the ice here, but it says that, "The Sunday, June 12, 2005 edition of the Toronto Sun included the photograph of the minister speaking on his cellphone outside the Chalmers offices. It accompanied a column headlined, 'Caught in the Act?' by Sun reporter Christina Blizzard. That article appears to be the first public disclosure of the minister's attendance at Chalmers on April 29, 2005. In her article, Ms. Blizzard referred to comments made by the minister in relation to his attendance" at Chalmers Group.

Some background: Mr. Takhar was the Minister of Transportation and he has been a successful business person in his life as an engineer, I believe maybe with a master's degree, and quite qualified and well recognized as an expert, I guess, in transportation suspension systems. Because of being appointed to cabinet, he had to have an arm's-length relationship with that and have a



trustee in place. That's really the essence here. I guess the commissioner went on and there were some judgments made and testimony given. Under the act, someone can report this, and it was reported and there were hearings, and there was a course of testimony. I think sometimes people don't do things intentionally—I'll put that on the record, and I would hope that that's the case here—and sometimes out of not knowing, which refers back to the bill.

Lots of people expense things that maybe they aren't sure if they should. Maybe for a \$100 bottle of wine, they should ask somebody, "Do you think I should expense this?" Or in the case of a coffee and a doughnut, "Wait a minute here; I think the coffee and the doughnut"—if you're getting \$400,000 a year, maybe you can skip expensing that, because you're taking it from the hand of a child at school. They're talking about having full-day kindergarten and the big issue there is the money. They said this morning they may not be able to implement it because they haven't got enough money. Well, if they had taken care of the money they had, they wouldn't be chasing the money they don't have.

In a case of somebody spending recklessly or without regard for the public, they should be sanctioned, no question about it, period. It doesn't mean they get fired or anything else; it means they certainly pay it back or make restitution, maybe do public service by working in a food bank or something like that to learn that a \$100 bottle of wine would probably pay for meals for a month for a family, or certainly for a week. We've got to put this stuff in perspective and I, for one, would like to think that's important.

I'm not going to go through this testimony and review in the report by Mr. Osborne, but here's the series of interviews that were held: Joseph Jeyanayangam, trustee—gone; Balwinder Takhar, the minister's wife; Christina Blizzard testified; Brett Kelly, who was the director of research for the opposition at the time; Jeff Kroeker, policy adviser to the Minister of Health; Earl McKinnon, the minister's driver; Muriel Alvarez, minister's executive secretary; and the honourable Minister of Transportation, Mr. Takhar, were all interviewed by the Integrity Commissioner, Coulter Osborne. There wasn't a conclusive—I would say from my reading. Over the signature of the Honourable Coulter Osborne it just says, "It is imperative that ministers take their obligations under sections 10, 11 and 12 of the act seriously. Those obligations include having a trustee, where applicable, who is in an arm's-length relationship with the minister. Although I regard this as a serious matter, I have to recognize that the minister did not go about intentionally trying to short-circuit the system. I accept his statement that had he realized that his arm's-length relationship with his CEO "was compromised, he would have taken steps through this office to straighten things up. I also recognize that in circumstances like this, there is a political price that sometimes has to be paid." That's fairly important here. "Since this is a matter of first impression, I think it would be unfair to sanction the minister beyond issuing a reprimand under section 34(1)(b). Upon the filing of this

report with the Speaker, that reprimand will be duly recorded."

In fact, the Integrity Commissioner, I think in fairness, listened to all the evidence, didn't think there was anything done intentionally and issued a sanction. It was up to the Premier to ask—now, in all fairness, the opposition, in the past, I can think of two cases of persons: one who is here, Mr. Runciman, who unknowingly, unintentionally, unmaliciously issued the name of a young offender in this place and had to step aside until such things were heard. It was the same thing with Minister Jackson, who at the time was accused of making certain things, which was not held up under scrutiny, and had to step aside.

All I'm saying here is the Premier didn't take the advice of the Integrity Commissioner. It wasn't Minister Takhar. He was sitting there as kind of the innocent victim of the whole thing. I think he's sitting here again as the innocent victim. Imagine giving this to him, this particular bill, which causes us to do research about reports of the Integrity Commissioner. I come across this report, the very report about the minister who is the author of this bill on integrity. I don't know; if I was Minister Takhar, I would on principle alone question the Premier: "Why didn't you give this to Minister Wilkinson, who's prancing around trying to sell the HST?" Can you imagine that, trying to flog a dead horse? I'm telling you.

But I would say that the truth here is that this report, in itself, no one can find fault with the idea. I think "Integrity Commissioner" should have been replaced with "Premier": "The Premier shall approve all expenses." Let's get on the record right now that the buck stops with the Premier of Ontario. People have entrusted him as the bridge between them and government. Government is the civil service that makes the hospitals run, makes the schools run and makes the province run, I guess. If they can't run, then you can blame the Premier for not giving them enough money or resources, human or physical resources.

But that Integrity Commissioner's report stands. When we ask questions about the Ontario Lottery and Gaming Corp., where the first instance was, or back as far as the eHealth scandal that emerged this summer, in the summer of discontent, this is where the Premier should have stepped right in and said, "Look, step aside until we solve this problem." What did he do with the minister at the time, Minister Caplan? He probably called Minister Caplan's mother to find out what to do. I mean, he is her son and she was the Minister of Health at one time. But no, he wasn't spanked and he wasn't sanctioned in any way. In fact, he's still trotting off that he had nothing to do with those things. Well, somebody should have been looking at it: a person getting \$25,000 for a speech and \$400,000 a year, and other people charging a nice cup of tea when they go to bed at night when they're on a \$3,000-a-day expense thing? I don't know; it's a shameful abuse of public money.

Ultimately, we probably support the intent here, but there is a process already in place. This is shifting it. It's trying to shift the focus from Premier McGuinty's failure



of oversight and management duty to the Integrity Commissioner. In fact, there isn't even an Integrity Commissioner; there's a temporary one—who has done an excellent job, by the way. I'm surprised that she didn't accept the full-fledged commission of being the Integrity Commissioner, but I guess they're interviewing a judge. Coulter Osborne, of course, was a judge as well, so maybe they want somebody with the higher pay qualifications or something.

0930

Finally: Each year the commissioner will issue the report. What's the report going to be? Right now, there's the Public Sector Salary Disclosure Act. Anyone making over \$100,000 a year—that list is public. If they're on the public payroll, it's published. Every member of the Legislature, their entire expenses are published every year, already. You can tell what they spent on travel, expenses, stationary—you name it, they can find it. That's the way it should be. I think some of the public sector appointees like the OLG—take for instance the racing commission. There are all kinds of agencies, boards and commissions. I have no clue what they're making, and it should be published. I wonder why it isn't in this bill. If you're going to have a bill, let's make the rules clear once and for all. If you run on a platform of openness, accountability and transparency, let's get it done. You'll find complete support under our leader, Tim Hudak. That's what it's about: openness and accountability. There are mistakes made, in fairness, by all sides. I can remember we had—

**Mr. Paul Miller:** You'll move up a row, John, with that one.

**Mr. John O'Toole:** I'm working on two rows. We want the two-row move.

**Mr. Paul Miller:** You're moving, kid, you're moving.

**Mr. John O'Toole:** As long as it isn't backwards. Anyway, up here we consider that we're actually in the penthouse. You've got to look at things positively in life. I think that's important.

But I digress. I've got to stay on the topic in the short 30 minutes I have left here to talk about this bill. This bill, by the way, is almost three pages—not quite, though. It has a lot of details. I think it's important that the public knows the purpose. The purpose clause is where you first go to when you read legislation. What are they trying to do here? They're establishing a redundancy, an oversight that already should exist. It's clear from the evidence presented in the last two weeks in question period, whether it's eHealth, whether it's the Ontario Lottery and Gaming commission, whether it's MPAC or—I don't think the list is done yet. I think the culture of entitlement had already taken place. It's only those things that we found that have been disclosed. We're looking for more. Apparently, there are thousands and thousands and thousands of pages of freedom-of-information requests.

Now, I'm going to get to the substance of how difficult it is for the opposition to do the job. In the report that I read in the paper last week—I'm actually going by memory here. Last week in one of the papers there was a

report that said, under eHealth—no, it was the OLG scandal. There are so many of them that I get confused after a while on these things. Under the Ontario Lottery and Gaming, the CEO was asked by the minister, according to the press, to fire someone. Respectfully to this person, she initially refused to follow the orders or at least gave them an alternative and said, "I would rather handle it this way." I read that, and I thought, "Gee, that is a person who believed that the intention of the government"—this is my own impression—"under the OLG, was to give the impression to the public that they were acting decisively and swiftly to stop the hemorrhaging of public spending or wasting of money." That was mostly for the media, really for the photo op, for the impression—bingo, a person being trashed; they're responsible. They should have been trashing the minister, that's who they should have been trashing. Who's been watching the vault all summer while they're giving away cars and taking trips to various places and drinking expensive wine, eating big three-inch steaks and all those—it was almost disgusting, really, when you read it. But I'll stay on topic.

The key thing that I found in reading the article was that the professional person who was the head made recommendations on how they could handle these unfortunate circumstances of people wasting money in their expenses, taking lavish trips. Although she would have some fiduciary responsibility, I think she should have stepped in herself, making—I think it was \$400,000 a year she was making. Anyway, they fired her. They wanted her to fire a couple of other people, too. As it turned out, she believed that she was wrongfully dismissed, so she's turning around and, in a court action, making some of this information public and suing the province of Ontario for something in excess of \$8 million.

She had said to them, "Look give me my severance"—which would be one year's pay, half a million dollars—

**Mr. Paul Miller:** Five for most people.

**Mr. John O'Toole:** Well, a couple of years' pay. She might have got a million bucks or something and lived happily ever after. Well, maybe not happily, but certainly able to pay the bills. I guess the key is, they didn't accept that.

My impression—and I'm not qualified, nor are we as legislators qualified; the judges can do that. Perhaps the Integrity Commissioner's first duty should be to rule on whether or not they should waste money on lawyers. It'll cost \$10 million by the time they get the \$8 million.

She'll probably win, I would suggest. Just reading the media release, it would look to me like she offered alternatives and took some sense of responsibility. It's sort of like going to confession. You do the penance and I guess you're forgiven, but you should not repeat it again. You sort of make a solemn promise: "I will do better the next time." But some people digress and fall into their old habits, and this is what I'm concerned about.

We've learned now there are three commissions or arm's-length agencies, all of which have wasted millions of dollars on wine and cheese parties or things and un-



necessary, lavish expenses in hotels and trips. Often I wonder where Minister Papatello is.

**Mr. Paul Miller:** Globetrotting.

**Mr. John O'Toole:** Globetrotting, junkets. Hey, look, I'm sure there will be reports from the Integrity Commissioner. That's what I'm looking for—every minister's expense reports outline the lavish entertainment. When Greg Sorbara was Minister of Finance—the receptions for the prebudget hearings.

We would probably propose an amendment here and the amendment would probably be in the tone of “no alcohol should be served.” I think that's an appropriate request. No alcohol should be paid for by the government either in a ministry's office or out of a ministry's office. Let's be clear.

What are the penalties? I don't see any penalties here. I would expect the minister to step aside, at least as a symbolic gesture. The symbolic gesture here was firing the lady from OLG and setting her as an example: her picture in the *Toronto Star* walking out with a box full of papers.

**Mr. Paul Miller:** Pass the buck.

**Mr. John O'Toole:** It's the third party delegation.

But what are the consequences? There's no clear—it says here they may take each year a review of expenses to the Speaker. “The commissioner also has discretion to make a public report respecting” the “matter related to the commissioner's functions,” but also whether or not—what actions were taken by the ministry, because it ultimately goes back.

I say this time and time again. They've hired another fancy level of bureaucrats, similar to the LHINs, the local health integration networks. That's a shield for the ministry. That's all it is. They're not performing surgery or giving vaccinations. They're not doing anything but travelling around with coffee and doughnuts and telling people about health care, how you can get a doctor or something like that. I maybe trivialize it a bit, but that's another layer shielding the minister. You say, “Minister, why are you looking at closing the emergency in the Bowmanville hospital?” What do I get back for an answer? “Speak to the LHIN.” That's a tragedy. The Minister of Health is in charge. He's got the gold pin. He signs the cheques. He's got it all, and yet he's not responsible. “Why did that person in that hospital not get that service in a timely way?” “Well, we've done reports, we've done this, we've got people.” Minister, if you can't do the job, step aside. I know a government, or at least a group of individuals in a caucus, who are prepared to step up and take over in 2011.

0940

Kelly McDougald, the former CEO of the OLG, is the person mentioned here. And it's right here: “Ms. McDougald alleges she was fired from her \$400,000-a-year CEO job with no severance after refusing to sack the corporation's chief financial officer and one other senior employee, as demanded by Finance Minister Dwight Duncan to make it appear the ‘boils are lanced.’” That's in quotes, the boil has been lanced. It's appearance here;

it's not substantive. This is the tragedy: How things look are not always how things are.

I think the public can see through this bill much like this “The boil has been lanced.” Premier McGuinty would like to think that we've solved the problem, with Bill 201, of all the lavish spending and waste of taxpayers' money. Minister Takhar is bringing it to us and asking us to speak to it, and they'll say, “Well, they didn't support a bill on accountability and integrity.” There is no need for this bill. I believe that Minister Takhar—and I say this respectfully—is qualified. He ran a very large, successful company. I'm impressed that he's here giving public service, but the issue is, now the Premier is saying, “He's not qualified. I'm going to get somebody else.” It's shameful.

I think the ministers should be standing up and rebelling. They should be standing up and saying, “Look, Premier, we're capable. We're not just puppets reading the speeches you give us.” But then, maybe they are. Maybe they are just saying, “Oh, I'll read that. Give me that; I'll read that quietly and carefully.” They're in charge of the ministries. That's why I think when the minister was in charge of transportation—no disparaging remark on Mr. Bradley; I think he's doing a fine job. Certainly he's reading all the speeches that he's given quite well, anyway.

My point here is that there are CEOs working with them. The deputy ministers are qualified—in many cases I've met some of them—and they're working with highly qualified ministers, respectfully. Why do we need this bill?

Let's stand up here as a group today, and I would move that we just set it aside. Don't bring it forward anymore because it's not needed. What's needed is Premier McGuinty to get up there, give his ministers the authority and the accountability and say, “Look, we're going to govern according to the principles and rules of integrity, openness and accountability, and Minister, if you mess up, screw up, whatever, you're finished.” I think they will respond. I think that the OLG scandal would be gone.

Minister Caplan should be at least asked to introduce this bill. He's the one who should be the scapegoat here. You could say, “Look, Minister Caplan, it wasn't your fault.” It was probably George Smitherman's fault, really, because all this stuff happened when Smitherman was the minister. They put David Caplan in there. I think if he stepped aside, we'd probably support this bill, because at least then I'd say, “Okay, before this bill was law, somebody was responsible.”

Now, who was it: Caplan, Smitherman or McGuinty? I wouldn't think that the Premier should resign, but then, of course, I'd leave that open to the House. But I would say certainly somebody over there should step aside. Then we can deal with this bill. It sends a better signal than sacrificing this poor Kelly McDougald.

Again, I'm referring here to an article from the *Toronto Star*. It's from September 16, and Rob Ferguson and Rob Benzie commissioned this: “Kelly McDougald



says she was axed amid scandal after refusing government order to fire underlings." Well, we'll see how this plays itself out in the courts. I would say the public should follow this closely. Watch it and see if the government really played this hand wrong.

You know, it's funny the way that whole thing worked. There was the week of scandals here. It wasn't just eHealth and OLG; I think there was MPAC. There were a bunch of them, really, and there are still more to come. This is going to become a novel, a bestseller.

I say to the people of Ontario: Stay tuned. There are thousands more of these cheques that have spent your money on wasteful entertainment, trips and travel by a government that's going to blame someone else now—the Integrity Commissioner—if it's not caught. Meanwhile, the ministers are twiddling their thumbs, I guess, and letting people run about, doing as they wish, without much accountability. I'd like to think that isn't the case, as much as I'd like to criticize the government—it is my duty as the critic—but I remain concerned that this issue has not been properly dealt with in Bill 201, An Act to provide for review of expenses in the public sector.

This implies that there isn't any process today. There certainly is. I've just explained that I have to file every month; I have to file every year—the Premier does; everyone does. The Integrity Commissioner reviews all this. It's set up. It's under the Integrity Act today. The public sector already has reporting. They have expense forms, they have expense guidelines, and if somebody breaches the rules, sure, there should be sanctions. I don't see any sanctions in here. It really says that "the expenses officer is required to report back to the commissioner as to whether the expense has been repaid or the remedial action undertaken." I don't even know what that is in terms of remedial action.

Let's look here: "Supporting documents

"(4) An expenses officer shall,

"(a) ensure that each expense claim he or she gives to the commissioner is accompanied by supporting documents."

That would be a credit card notice. I don't think so. It should be the detailed list of how many glasses of wine, how many people, why they were there, who approved it before the meeting or the soiree at the big restaurant. That should all be on there. I don't want just the Visa bill showing you spent \$4,000 on a steak dinner for 10 people who were all friends. This is what has been going on. I am putting that on the record. It's there.

"(b) indicate whether each expense claim he or she gives ... was paid, in whole or in part, by the public entity or out of public funds of the province of Ontario."

"(5) The commissioner may make a written request to an expenses officer for information and documents relating to expense claims made by the relevant designated persons for expenses that are reviewable under section 3."

There's a review by the commissioner: "Discretion of commissioner

"(3) The commissioner may, in such circumstances as he or she considers appropriate, choose not to direct the

repayment of an amount and choose not to recommend other remedial action."

I would hope they don't use that section. I think they should be recommending repayment—and "...gives a direction or recommendation under subsection (2) shall promptly give the commissioner written notice of any action taken by the expenses officer in connection with the matter."

"(5) If the amount is not repaid or remedial action that the commissioner considers appropriate is not taken on or before the specified date, the commissioner may advise appropriate persons as to any matter that the commissioner considers appropriate in the circumstances."

Who would the commissioner advise, do you think? Let's just put that simple phrase—I'm going to leave it for the minister in his two-minute response to my shortened speech here this morning. It says here—I'll read it again—"If the amount is not repaid or remedial action that the commissioner considers appropriate is not taken on or before the specified date, the commissioner may advise appropriate persons..." I wonder who that would be. Would it be the minister? Would it be the Premier? I would ask them to advise me, and I'll be raising it in the Legislature the very next day. And who would I ask that question to? I'd be asking the Premier, because the buck stops with Premier McGuinty.

If it all goes well, the Premier's taking credit for it. He's out saying, "What a great job I've done." And if all goes badly, he should take credit for that as well. It's only fair.

Let the people judge here if this bill is going to shuffle this off to the Integrity Commissioner, whatever their name will be, because they haven't been appointed yet. There has been a vacancy there for a while, and it has been a temporary appointment, and now they're going to make it—this eight-person office is located on Bloor Street, isn't it, the Integrity Commissioner?

0950

**Mr. Jeff Leal:** Yes.

**Mr. John O'Toole:** I haven't been there this year, but I will be there in the next month or two. It's on Bloor Street and it's quite expensive real estate. In fact, there was an article in the Toronto Star today and that article was saying how expensive. It was \$300 a square foot per year. The most expensive real estate in all of Canada is on Bloor Street. Why are they located there?

**Mrs. Julia Munro:** So you can walk there.

**Mr. John O'Toole:** No. They should be located where I can walk, in this building. Let's get them in here. There's all kinds of room for it.

Now, that being said, they're going to have to move. Look, I am advising the people from the integrity office on Bloor Street—it's about the eighth or 10th floor or something. Right at the corner there where they're building the expensive condos is where it is, over the Hudson's Bay Centre. Now, they're going to have to move. In fact, they may take over the whole building, because there are going to be thousands of auditors now, thousands of them, and all making \$100,000 a year. Where



are they going to park? They're going to have to build a parking garage for them. It's unbelievable.

This bill is going to set this government back. The deficit will be \$30 billion now, easily, because of this new bureaucracy that they are creating. No disrespect to the integrity office; that's not what I'm saying. It's the government's initiative here that's going to cause the expenditure.

I should tell you that I've been following this quite closely. I have a question on the order paper. The minister, I see, is here. The question is, how much is this going to cost? It's only fair on behalf of the people—it was never in the budget. It's not in the budget, and they're going to cut junior kindergarten. Apparently, they're not going to introduce that. It's going to cost too much money. How much is this going to cost? Maybe the minister, in his response, would give us the privilege of knowing what the average pay would be for all the thousands of accountants. There could be a million expense reports issued a year, and I think it's worth us knowing what in fact is going to be the bottom line here.

If I look at it, we respect and support the work of the Integrity Commissioner and we're confident that the commissioner will have a role to play in ensuring accountability. That is the case today and it's what we support. We will continue to insist on an all-party committee of the House reviewing the eHealth and OLG spending scandals and any other scandals that emerge. It will take them a year to set this up, by the time they hire somebody to interview all these thousands of people and relocate the Integrity Commissioner from Bay Street to, I don't know, some other executive tower.

With this accountability legislation, McGuinty is trying to delegate integrity to someone else. What a shameful statement. It has to come from the Premier. We've said that all along. The Premier's announcement pre-empts the Auditor General's report on what went on and what went wrong at eHealth. Are the Premier and his cabinet, Minister Smitherman and Minister Caplan, interested in accountability and integrity, or is this another knee-jerk reaction that is attempting to distract from the summer of scandal? Tragic. Being accountable is the job of Premier McGuinty, his cabinet and his government. Unfortunately, the Premier insists on shifting responsibility elsewhere, to a third party review that was cancelled, to the Auditor General, and now to the Integrity Commissioner. They said PricewaterhouseCoopers was going to look at this, and then they cancelled that. They are stalling. The evidence is here.

Is he saying the ministers are not capable of overseeing aspects of their ministries that they should be responsible for? I hope he isn't. There are several ministers here, and I think they are very capable people, as the people on all sides of the House are capable. But I am wondering if this is a subtle put-down of his own cabinet. What does it say about their own competence?

At what cost? That's the question. How can the nine staff that are currently in the Integrity Commissioner's office oversee expense accounts of these many agencies?

Is Premier McGuinty creating a new bureaucracy just to avoid an all-party committee having direct responsibility for reviewing eHealth and OLG and other scandals? Will this added challenge detract from the current work of the Integrity Commissioner in the five existing areas of responsibility that they have today: members' integrity, lobbyists' registration, review of ministers' and opposition leaders' expenses, ministerial staff ethical conduct, and public service disclosure of wrongdoing? Will it interfere with the current mandate of the ministry? Will it be separated from—and let's just admit it's another level of bureaucracy.

How do we know this government will follow through on its promises? As we've seen in the past, whether it's the tax issue or whether it's the issue on many things they've said they would do—closing coal plants: They'll be blowing smoke, just like the coal plants. They had already promised to the House an investigation by PricewaterhouseCoopers into eHealth and then mysteriously cancelled that.

A key consideration: The "largest agencies, boards and commissions will be required to have their expenses reviewed by Ontario's Integrity Commissioner.

"Under the new rules, employees who claim unacceptable expenses like personal items and alcohol for staff functions will repay taxpayers." I guess so. Why they're doing it is the issue.

The culture of entitlement is rampant. We're seeing it in all our FOI requests; we're hearing it in the media every day. It has been the summer of scandals. What other evidence do we need? This is just a way of shuffling it off as a deflection.

The new rules will apply to Ontario Lottery and Gaming; Ontario Power Generation; Hydro One; the IESO, the Independent Electricity System Operator; the Ontario Power Authority; Workplace Safety and Insurance Board; the LCBO; eHealth; Cancer Care Ontario; Ontario Infrastructure Projects—there's one I'd like to have a look at. Wow. These little agencies—this one that's handling all the infrastructure money: Let's have a close look at that sucker; consultants and wine and cheese parties galore.

The Ontario Financing Authority—a pretty solid group there. Ontario Realty Corporation—there's another one we should have a look at. Ontario Public Service Pension Board—where are all the pensions? They're in the ditch, all of them. There's a big problem there. Who has been running it? Who's running FSCO, for that matter? Toronto area transit—there's another one. Who's driving the bus? Ontario Human Rights Commission—a good friend of George there. She has written a few reports on Oshawa this year, on housing. I don't know. The Metropolitan Toronto Convention Centre is another one. Ontario Educational Communications Authority; Ontario Racing Commission; Ontario Clean Water Agency.

This is just a partial list to alert the people of Ontario. There are hundreds of agencies out there, many political appointments that are all being paid off for support in the last few years, by way of these appointments. They're earning salaries in excess of \$400,000 a year, and they



are spending money—you're paying for their cup of tea at night.

These aren't political statements. These are questions of a government's entitlement, and the rule of entitlement seems to be the play of the day.

I'm concerned that this bill is just one more step to obfuscate, to shuffle off, to deflect, to try to put out the fire. This is a scandal and this is just the tip of an iceberg.

Public sector money—and we have a deficit in this province that's growing exponentially. The deficit is now bigger than in the days of Bob Rae. It's raging and out of control.

We have over 300,000 people unemployed. We have large companies going aside and losing contracts because of this HST. This new tax is just a tax grab for another \$2.5 billion of your money. There isn't enough money to solve all the problems of this government, and now they're asking a lowly Integrity Commissioner with nine employees to audit these thousands and thousands of expense reports, which the minister should be responsible for today, to start with. What else are they doing besides meetings and briefings and question period with no answers?

It has just become a litany of suspicions on my part, and I've tried to shed some light on an issue where I think the people of Ontario should be outraged about what's going on.

We have issued FOI reports, and this is a final statement in the brief time that I've been allowed this morning. This is documented in the media, and it's clear that the ministry has tried to delay the release of these FOI reports—this is documented. The minister actually said, "We've delayed it as long as we can." I think it was the OLG scandal or eHealth—one of the scandals, anyway. Now they're charging for FOI requests. Why are the people of Ontario paying twice? There's suspicion of an error, we ask for information from the ministry, which is public and already paid for, and now they're charging us—which is your money—as much as \$7,000 and \$10,000 for these freedom of information requests. They're anything but free. This shadows on a cover-up, in my opinion, when you are charged money to get honest information.

1000

**Mr. Paul Miller:** A cover-up?

**Mr. John O'Toole:** It's shades of that. We didn't make any accusation; otherwise, Minister Smitherman would have jumped to his feet.

My point here is that there's a good example. If we want to move forward together—you use this phrase "moving forward" all the time; I think you've run into a ditch here—I would suggest that they make these freedom of information requests open and free. If it's a spurious accusation on the opposition's part, they should have to pay. But if we find evidence like we're finding today, it should be free. The people of Ontario already paid for the coffee and doughnuts. What we want is some action, and it's clear to me that this bill and this minister are being used to further remove the Premier from being accessible to the people of Ontario.

At the end of the day, the price will be paid, and it's called an election in 2011. I ask the people of Ontario not to forget. We are supposed to learn from history, and we've given you a brief history lesson this morning that the regime of entitlement has arrived, the evidence is clear and you will have the final say. The Integrity Commissioner isn't the final judge; the people of Ontario will be the final judge.

I can put to you that all members of all caucuses have learned a lesson here. But the government today is ultimately responsible for the actions of today. That government is Premier McGuinty and his cabinet, some of whom are here today. I'd say that this bill should be put down, we should put the responsibility back with the ministers, and certain ministers should resign when they've taken an inappropriate action or their subordinates have not informed them of what's going on in their ministries. I would ask every minister to come clean now. Submit your reports, stop the spending on alcohol and gaming and trips—put a stop to it. We don't need legislation to do the right thing. I've run out of time—really, I could ask for unanimous consent for more time.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Paul Miller:** The member from Durham is always quite to the point and sure knows the buttons to push, which is a good thing, because there's no sense in keeping things hidden. One of the expenses that really stood out in my mind, and I was absolutely disgusted when I saw it, was a CEO or vice-president at OLG who spent \$3,713 on one meal. Most of my constituents—I would say 80% of my constituents—do not make \$3,713 in one month. This oversight that continues with all these ministries and all these agencies has got to stop now. I've had several calls from my constituents, outraged at what has been going on in the summer of scandal, and it will continue. There's more coming. They're not done yet. There's more information coming in every day that this will go to other agencies and other situations.

You know, expenditures that are reasonable are accepted by the public. A \$60 meal or a \$40 meal is acceptable; \$3,713 is absolutely outrageous. There are many more incidents throughout this report of these things happening. You know, I for one, coming from my background, wouldn't spend that in a year on meals outside the home, and I hope the people in this room realize what's going on and do a lot more to stop these terrible things that have been happening.

**Mr. Jeff Leal:** I was listening intently to the remarks this morning from my colleague the member from Durham, who I know extremely well, and who had a great career with General Motors and the separate school board and Durham council.

There are a couple of points I want to make. First of all, to anybody looking for an economical lunch, I recommend the East City Coffee Shop in Peterborough. A western sandwich and soup is \$6, so if you ever want to have any meetings, you can go there.

None of us on any side of this House condone when the public trust has been broken. Clearly, in this case



related to eHealth and the Ontario lottery corporation, the public trust has been broken. Therefore, the Minister of Government Services has proposed Bill 201, the Public Sector Expenses Review Act.

I want to get a few facts on the record this morning. The member from Durham talked about thousands of people coming under this umbrella. I'm told there are only 400 people who will come under this umbrella. Those are the top five people in the agencies that have been identified that are coming under review, the same kind of review that is required for cabinet ministers in the province of Ontario, the opposition leader in the province of Ontario and others who hold the public trust.

Freedom of information is an important part of our democracy. When the Leader of the Opposition was the tourism minister in 2001, the compliance rate for his ministry was only 40%. Only three ministries were lower. Our current Minister of Tourism has a 90% compliance record with freedom of information. When the Leader of the Opposition was the Minister of Northern Development and Mines, his compliance rate was some 41%, and he had 19 total requests in the year 2000. So I want to make sure that—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments?

**Ms. Lisa MacLeod:** It's a pleasure to be able to speak to my colleague's statement earlier today, his one-hour leadoff speech on public expenses. The member opposite would like to speak about public trust. Of course, Mr. Speaker, you'll understand that the public trust was breached this summer when we found out that millions of dollars had gone to untendered contracts in the province. As early as this morning, the Premier, speaking in his weekly scrum, didn't have the details on what type of untendered contracts might be occurring in our LHINs and at our hospitals across the province. That is simply sad.

I think my colleague from Durham makes an excellent point that ministerial accountability must be brought back into the system instead of consistently passing the buck.

I also go back and refer to my colleague from Peterborough's comments where he makes a decision to attack the leader of the official opposition when he was a minister of the crown. What I don't understand here is why the government opposite continues to reach back into a previous century to sling mud. And I don't understand, when they are expecting—

**The Deputy Speaker (Mr. Bruce Crozier):** Excuse me, I missed the word—"to sling?"

**Ms. Lisa MacLeod:** Mud.

**The Deputy Speaker (Mr. Bruce Crozier):** Mud. I just ask members to be cautious with their words.

**Ms. Lisa MacLeod:** If that's wrong, Mr. Speaker, I'll withdraw that.

What I don't understand is why they have to consistently move to the back of the pack. When you look at what has happened at OLG and what happened at eHealth, you will recall that these are made-in-McGuinty problems in his summer of scandal. You'll recall that he hired all these bureaucrats he has now fired or has made a

"public example" of. I think we ought to start where my colleague from Durham suggests: with the ministers opposite. There should be a few of them who are fired.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Ms. Cheri DiNovo:** It's a pleasure to make comments about the member for Durham's hour-long lead speech. Certainly, we would have to say in the New Democratic Party that this bill is a baby step in the right direction, but it doesn't address some of the fundamental problems that were uncovered during this last summer. One of them is the allegations that are made in the lawsuit that the Premier's office sat on freedom of information requests and did not let those go in a timely manner. That is an incredibly serious allegation, and that's something that this bill doesn't look at. This bill also doesn't look at all the agencies, quite frankly, that come under the government's control. For example, we noted with interest the Ontario Securities Commission or FSCO, the insurance and pension regulation agency, is not covered by this. We wonder why. There are conspicuous agencies left out. Is that because there's some trouble brewing there? One can only wonder when it covers some agencies and not all agencies.

The other aspect of this, of course, is will this act have any teeth? Because the Integrity Commissioner has nine staff and a limited budget, so either the member from Durham is right and that staff is going to be expanded ad infinitum or she simply won't have the staff and/or the resources to do what this bill is requiring of her, which is to look at hundreds of expenses and dozens of agencies. This is clearly too much for the structure that we now have in place. Her original job was to look at MPPs, cabinet ministers and their expenses, and that was it. Now it's been expanded beyond all proportion.

Of course, there's the ethical call here. Whether a minister falls or not, it is certainly incumbent upon this government to apologize to the taxpayers of Ontario for the egregious spending that is, by some estimates, illegal.

**The Deputy Speaker (Mr. Bruce Crozier):** To the member for Durham, you have up to two minutes to respond.

**Mr. John O'Toole:** I thank the member from Hamilton East-Stoney Creek. He did mention the one meal by one person and their guests for \$3,713—unforgivable. This is what this is about. The member from Peterborough did mention a fine restaurant in each city, but other than that, he was really reading the government's message lines. The member from Nepean-Carleton I think said it all. It's really about ministerial accountability. We're encouraging the ministry to take a second look at this and bring back the traditions of ministerial accountability and the appropriate follow-up actions. The member from Parkdale-High Park brought to the attention of the people of Ontario that the freedom-of-information requests have been sat on, delayed, held back, withheld—use whatever word you want, but they're not forthcoming.

I think the key thing here is that there are only apparently, according to the member from Peterborough—



whom I trust and think highly of in many respects outside the Legislature—five people in each of these ministries. What if they're all, like with Minister Papatello, travelling around the world? There's got to be an entourage. They're all probably signing it off. Some of the assistant deputy ministers sign these expense reports, and then they're not FOI-able under the minister's report.

There are other ways of changing the focus. What we really want here is for Premier McGuinty to come clean, to step up, take responsibility for the actions of his ministers in cabinet and for them to step up and do the job, which they're being well-paid for, and actually say, "Look, this is exactly what we expect"—set the tone in their ministry and set the example. This is anything but that. This is saying, "Look, we screwed up. We know it. It's in the media. It's not us saying it; we're just doing our jobs here." They're giving it to the Integrity Commissioner, who's going to review all of these inappropriate expenses after the third time.

Ultimately, all of these things—the appointment of the commissioner himself—will be a political decision. Premier McGuinty will appoint the very person who's ruling.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to the standing orders, this House is in recess until 10:30 of the clock.

*The House recessed from 1013 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Mario Sergio:** We are delighted today to have in the House wonderful guests from Ghana, this wonderful country. We have in the Speaker's gallery Nana Serwaaprah I, Queen of Adanse-Praso in Ashanti; we have George Opoko; Chief Evans; Nana Doggo; Nana Pokuaa; Kofi Adjei Perprah; Vida Adjei; Abea; Peter Vecchiarelli; and author Debbie Moskovich. I'd like to welcome them to the House. I hope that they will have a wonderful time enjoying the workings of our Parliament here today.

**Mr. Charles Sousa:** I'd like to welcome the family of our page, Jacob van Wassenaer: his mother Violet van Wassenaer and his brother Philip van Wassenaer. Welcome to Queen's Park.

**Mr. Kevin Daniel Flynn:** It's my pleasure to introduce some members from Colleges Ontario who are with us today in the members' gallery: Marsha Joseph, who's a manager of government relations; Spencer Wood, the manager of maintenance and operations at Humber College; and Chris Trewartha, executive director of the power application group. They're the advocacy organization for all our colleges in Ontario. They'll be hosting an information session in room 230 from 12 to 3. I encourage all members of all parties to attend.

**Ms. Andrea Horwath:** They're not here yet, but at 11:00, the students from Holbrook public school in Hamilton, in my riding, will be here with their teacher,

Erica Read. They'll be in the east gallery and they're grade 5 and 6 students.

**The Speaker (Hon. Steve Peters):** We have with us in the Speaker's gallery three delegations from the Parliament of Ghana. We have the finance committee, led by the Honourable James Avedzi; the press corps, led by Mr. Andrew Arthur; and two researchers from the research department, Mr. Casmir Addo-Mensah and Ms. Judy Aikins. I'd also like to welcome Kwabena Asare, the consul general of Ghana here in Toronto. Please warmly welcome our guests to the Legislature today.

## ORAL QUESTIONS

### ELECTRONIC HEALTH INFORMATION

**Mr. Tim Hudak:** My question is to the Premier. Yesterday two prominent members of the eHealth board just disappeared. Why are Geoff Smith and Khalil Barsoum no longer on the eHealth board?

**Hon. Dalton McGuinty:** To the Minister of Health.

**Hon. David Caplan:** We have—and the auditor will, of course, comment on this and it will be public—quite an excellent board. In both cases, both have done an excellent job on behalf of the people of Ontario, and we do thank them for their service. In both cases, both Mr. Barsoum and Mr. Smith requested that they be able to resign from the board. In fact, that is going to cabinet for order-in-council approval today.

I don't know, of course, what cabinet will do but we do thank all of the members for their service on behalf of Ontarians.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** With all due respect, this is a question to the Premier. I think, considering his summer of scandal and the ongoing problems at eHealth, the Premier would respond to these questions.

Back to the Premier: Geoff Smith is a top fundraiser for the McGuinty Liberals. He was appointed in March of this year but, oddly, his bio never actually made it on to eHealth's public website. Did the Liberals' bagman resign to avoid embarrassing questions about untendered contracts?

**Hon. David Caplan:** I think that characterization is, frankly, beneath a member of this Legislature. I know that Mr. Smith had done considerable work for the Progressive Conservative Party as well, and I know this is a gentleman who has provided incredible service to Ontarians in this regard. I know that we do have individuals come forward in the spirit of public service to serve on agencies, boards and commissions, and we have the benefit of their expertise.

I don't know the individual circumstances of Mr. Smith and his various commitments, but I can tell you that we were quite honoured to have him. Obviously, his circumstances have changed and he has requested to be able to resign from the board.



**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** Back to the Premier: We'd like to know exactly what circumstances suddenly changed, from a high-profile appointee back in March who suddenly disappears off the eHealth board.

I think the Premier and the minister are probably well aware that the PC caucus submitted a freedom-of-information request for contracts between the McGuinty government and EllisDon. Geoff Smith is president and CEO of EllisDon. That FOI is due in early October.

To the Premier: Did Geoff Smith or EllisDon receive any untendered contracts from the McGuinty government?

**Hon. David Caplan:** I think the member is aware that EllisDon is one of the largest construction companies not simply in Canada but in the world. I can tell you that in fact they have won many tenders to construct hospitals and many projects across this province. It's because of the investment in infrastructure that was a hallmark of this government—a \$30-billion infrastructure plan—that not only EllisDon but PCL and other companies, like Bondfield Construction, I know, like Aecon or others, were able to successfully get Ontario and the foundation of the Ontario economy moving.

It is these individuals who in fact have responded to public tender and are doing that work. I anticipate that we will continue to move forward with infrastructure investments. I hope these companies will bid on that work and will—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### ELECTRONIC HEALTH INFORMATION

**Mr. Tim Hudak:** I find it unfortunate that the Premier is obviously avoiding responding to my lead questions today.

Let me try again, to the Premier. Premier, during your summer of scandal the media reported that eHealth board member Khalil Barsoum billed taxpayers \$2,400 for flights from his vacation home in Florida to attend board meetings in Ontario. He remained on the board for some time after that, but now suddenly is gone. The opposition submitted an FOI request on contracts the eHealth board handed out to IBM, where Barsoum was an executive. Is there something in there that will explain why Barsoum is suddenly gone?

**Hon. Dalton McGuinty:** To the Minister of Health.

**Hon. David Caplan:** I must tell you, we're again fortunate to have had people like Mr. Barsoum assume the public duty of serving on this important public agency.

Mr. Barsoum decided about his own personal circumstances, that he wished to resign from the board, and it is with regret that we have accepted his resignation.

I can tell you that, as I have said on numerous occasions in this House and outside, the rules for procurement in government are strengthened. In fact, we expect our

agencies, boards and commissions to live not only by the letter of the law but by the spirit of the law. It is my contention that it's not simply because it is allowed that you can do it, that it necessarily follows that you should do it. That's precisely why I've asked the auditor to take a look at all the expenditures at—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

1040

**Mr. Tim Hudak:** Premier, I have asked you four straight questions. Four straight times, you've sent off that question to your health minister, refusing to answer questions about basic accountability at an agency at the centre of an enormous scandal this past summer. For a Premier that's passed off any kind of accountability for his ministers, I find it sad that he refuses to answer my questions in the Legislature today.

Back to the Premier: When it came to dealing with the OLG, you called a big press conference; your finance minister made a convenient political scapegoat out of the CEO, but for your Liberal friends like Smith and Barsoum there wasn't even a press release. Why is the Premier allowing his Liberal friends to sneak out the back door rather than making a big show like he did with the OLG?

**Hon. David Caplan:** Four questions, now five; I will answer as many as the member opposite wishes to pose. The answer will be the same: We are determined, on this side of the House, to get down to the bottom of these matters. That's why I took the opportunity to contact Jim McCarter, an independent officer of this Legislature, the Auditor General. I know that the member opposite and his colleagues have had problems with the auditor in the past, but we on this side of the House believe that the auditor performs a very useful function and, in fact, does it in a non-partisan and independent way. My friend opposite might have a particular partisan perspective, and that is his right.

We, of course, are moving forward on delivering on an important eHealth agenda: a diabetes registry, an ePrescribing regime. It's interesting: One million children in the province of Ontario have an electronic health record. Four million Ontarians are part of an electronic medical record as well. These—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Tim Hudak:** Five questions to the Premier; five times he punted the ball down the field. Premier, if you're not going to answer these questions today, you're going to answer these questions soon enough and tell us exactly what has happened with the eHealth board.

Premier, can you guarantee that this is it? Can you guarantee that no board members at eHealth or their companies benefited from untendered contracts handed out by your government?

**Hon. David Caplan:** I know, as I've said now on five or six occasions to the member opposite, that an independent officer of this Legislature will in fact be able to report to the Legislature, and individual members of this Legislature will have an opportunity at the public



accounts committee to speak to him and to review his report. I will not presume what the auditor will say, but I can assure the member that it will not be the partisan speech of the member opposite but unbiased and independent. That, in fact, is the hallmark of an officer of this Legislature.

I will say that members on this side of the House are moving forward to modernize the electronic health infrastructure of the province of Ontario. It is regrettable that such moves were not taken by the member and his colleagues when they had the privilege to serve on this side of the House. But Ontarians know health care—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### HEALTH CARE

**Ms. Andrea Horwath:** My question is to the Premier. It seems that health care spending scandals are becoming a fact of life under the McGuinty government. First, it was eHealth handing out \$16 million in untendered contracts to well-connected insiders. Now we learn that in London Health Sciences they're doling out \$3.3 million in untendered contracts. This is more than a coincidence; it is fostered by a government that seems to have little regard for the public's money.

When will this Premier finally take charge and end the blatant and disturbing abuse of our precious health dollars?

**Hon. Dalton McGuinty:** I know my honourable colleague understands the steps that we've taken recently and those that we've taken since we earned the privilege of serving Ontarians in government. We recognize that Ontarians work hard for their money and we have a special responsibility to use their dollars wisely.

In the past, we have expanded the ambit of the freedom-of-information legislation to take into account Hydro One and OPG. We've also given the auditor additional powers so that he can now look at, for the first time, our universities, our schools and our hospitals. We're also requiring that the auditor take a look at the government finances before going into an election so we're all clear as to the true state of affairs in that regard. Most recently, we've put in place a number of new measures that are specific to our agencies, boards and commissions, and I know that my colleague understands all of that.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** Well, it's the Premier who just doesn't seem to understand what's at stake here. This isn't pocket change being handed out, it's tens of millions of dollars, money that could make a real difference in an already overstretched health care system. In London and across the South West LHIN, local residents are experiencing a loss of hospital services: Maternity and physiotherapy services are vanishing, beds are closing, and deficits are soaring. How can this Premier seem so content to just sit back and watch as precious health care dollars get poured down the drain, with no accountability?

**Hon. Dalton McGuinty:** I just can't agree with my colleague's interpretation of reality. The fact of the matter is that we've invested significant new dollars in health care during the course of the past six years. I think health care spending has been increased by close to—

**Hon. David Caplan:** Forty-five per cent.

**Hon. Dalton McGuinty:** Forty-five per cent. Wait times are down, we are building new hospitals, we've hired thousands of nurses, we've expanded our medical school spaces. I think we've got 800,000 more Ontarians who are now attached to family care. I think we've made real, measurable progress in a number of ways.

There's always more work to be done, but I don't think it could be objectively argued that we have somehow produced a reduction in services. In fact, we've dramatically increased quality of care for many Ontarians.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** The Premier needs a reality check. He just needs to go to talk to the people of this province and see what they think of the quality of their health care here. Across Ontario, 1,200 nurses have lost their jobs. Next door to London, at Grey Bruce Health Services, they're looking to make deep cuts because of a \$6.2-million deficit, yet it's very easy to shovel \$3 million out the door at one hospital in a sweetheart deal.

This Premier has no problem—no problem at all—telling Ontarians that they have to make do: They have to make do when their emergency rooms close; they have to make do when hospital beds disappear. But when will we finally see him stand up and clamp down on the appalling waste of our health care dollars in this province?

**Hon. Dalton McGuinty:** None of us want to see any waste in our health care system and none of us want to tolerate that. There is something that happened at a hospital in London—my friend makes an oblique reference to it—and it's the responsibility of the board of directors there to ensure that they're enforcing a rule they have on the books, and we would encourage them to do that as quickly as they can.

But again, as a government, we have moved quickly and effectively to improve the quality and number of services available to Ontarians. For example, we have funded close to 1.7 million new procedures and we've reduced wait times dramatically in a number of areas. Now, 907,000 more Ontarians have access to family care. We have 14 new MRI machines and double the number of MRI hours of operation. We have close to 1,800 more doctors practising. We've increased medical school spaces by 23%. There are 150 family health teams, with more to come. I can speak at length about the progress we've made—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### TAXATION

**Ms. Andrea Horwath:** My next question is again to the Premier. Yesterday the Premier's harmonized sales tax scheme was heckled and jeered. Obviously, rural and



northern families think the HST is a bad deal, and that's not surprising. The HST is a blatant tax grab that makes life less affordable for the people of Ontario, and it will slow down job growth by some 40,000 jobs every year, not according to me but to the Ontario Chamber of Commerce.

My question is straightforward: How much polling has the government conducted on the harmonized sales tax and how much money has it spent to do that polling?

**Hon. Dalton McGuinty:** I was at the International Plowing Match held yesterday in Earlton and I don't know about the heckling and jeering that was raised by my colleague. But I can say that there is obviously continuing interest in the harmonized sales tax, and I can say that our intention here and our motivations are very clear. We think it's the right thing to do for Ontarians. We think it's the right thing to do for our future. We think it's the right thing to do to ensure that we can grow this economy, that we can create more jobs so we can support services like health care, which my colleague just asked me about.

If we're going to continue to have the financial wherewithal to support the quality of life we enjoy here in Ontario, and particularly the public services that sustain that quality of life—our health care, our education, protections for the environment and so on and so forth—then we must have a strong economy. And the single, most important thing that we can do to strengthen that economy is to move ahead with a harmonized sales tax.

1050

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** Here's what we found through a freedom-of-information request: A poll paid for by the Ministry of Finance shows that support for the HST is falling. When this government's pollsters, in fact, tell Ontarians that the HST will apply to new goods and services, nearly 70% are opposed. One can only imagine what the number would look like if Ontarians were told that the HST will kill up to 40,000 jobs each year.

How does it surprise the Premier that Ontarians know a bad deal when they see one?

**Hon. Dalton McGuinty:** It's an important debate. We embrace this responsibility. We will not shy away from it as my colleagues did when they were in government and as the Conservatives did when they were in government. They know in their heart of hearts it's the right thing to do. We all understand this is not an easy thing to do. When you have the support of the business community and food banks at the same time, we know that we are on the right track. Tom Cooper, who is a well-recognized, and in fact, as I understand it, a highly regarded anti-poverty activist in Hamilton, has said that this is the right thing for us to do.

We look forward to getting my colleague's support so that, together, we can do what is right for the people of Ontario.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** The government's own polling shows how angry people are about the HST. Half of Ontarians classify themselves as strongly opposed to the tax, and there are very few regional differences in this poll, very few differences in terms of the opposition. Maybe that's why your backbenchers are feeling so nervous these days.

I don't think the government needed to pay for a poll to find out anything about how people feel about this tax. The Premier could have walked into any coffee shop in any community in this province, a place like Earlton, a place like Kirkland Lake or Timmins, and they would tell you they are not happy about this tax.

Given the depth of opposition from everyday Ontarians, why does the Premier not admit that the HST is a bad idea and pull the plug on this tax grab once and for all?

**Hon. Dalton McGuinty:** The complaint that my colleague seems to be making is that we're not governing in keeping with the polls. She's right. That's what leadership is all about. We're doing what we believe is right for Ontario.

We didn't move ahead with the Green Energy Act because there was a groundswell of support for that. We did that because we want to put Ontario at the forefront in North America. We're not moving ahead with early learning in Ontario because there's a groundswell of support that prompted that in the original case. We're doing it because it will put Ontario at the forefront in North America. We're not moving ahead with the HST because of the groundswell of support for it. We're doing it because it's going to put Ontario at the forefront in North America.

These are all about leadership. They're all about doing the right thing for the people of Ontario. They may not be easy, but they're the right thing to do.

## HOSPITAL SPENDING

**Mrs. Christine Elliott:** My question is for the Premier. A pattern is developing. Executives in the McGuinty government are following the example the Premier and the Minister of Health set when they hired Sarah Kramer, who gave \$16 million in untendered contracts. Diane Beattie, vice-president at London Health Sciences Centre, recently gave untendered contracts worth over \$3 million to her former business associate.

The Premier and the Minister of Health clearly don't have a handle on these scandals. Why does the Premier continue to have confidence in a Minister of Health who clearly doesn't have control of his portfolio?

**Hon. Dalton McGuinty:** The honourable member, I gather, is asking for the minister's resignation and I disagree. Although there are over 150 hospitals in the province of Ontario, each with their own set of rules and regulations, largely in keeping with the advice of the Ontario Hospital Association, she is saying that this particular minister ought to be responsible for the activities of



any one individual working inside the hospital when it comes to sole-source contracts. I don't agree with that.

I think it is important for us to set a standard. We've said no sole-source contracts for consultants. That's what we've done on behalf of the government. The hospital is taking responsibility for the course of action which it feels appropriate in the circumstances, and we support them in that regard.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Christine Elliott:** There's little point in calling another hastily arranged press conference to blame a scapegoat or to pass the blame off to a third party. Beattie was discovered. An audit has been conducted. Since there's no standard of accountability with his ministers, will the Premier please tell us whether Ms. Beattie is going to be publicly fired like the CEO of OLG, allowed to resign quietly like his Liberal friends, or be kept on like his ministers?

**Hon. Dalton McGuinty:** I know my colleague does in fact understand that the hospital has a board of directors. There's a line of authority and accountability connected with that. There is a due process to be pursued in these kinds of circumstances.

My understanding is that the hospital is on to this issue. They feel it's an important issue. They are taking responsibility for doing what they feel is appropriate in the circumstances, and we support them in that regard.

## SKILLS TRAINING

**Mr. Rosario Marchese:** My question is to the Minister of Training, Colleges and Universities. Minister, a year ago you promised Ontarians an expanded retraining program and you said you were going to help more laid-off workers. Yet on September 14, the five brokers in Hamilton for Second Career, which include the John Howard Society, VPI, Mohawk College, Employment Hamilton and Goodwill Amity, were advised by the ministry that the program had been capped and no more applications were going to be received.

Why have you closed the door on so many needed applicants?

**Hon. John Milloy:** I'm very pleased with the success that we've seen on Second Career and I'm very pleased to report to this House that, as of today, we've had over 17,500 people come forward for Second Career, which I think shows a great success. We have a number of outstanding stories that have come forward.

What the honourable member says is wrong. We have not closed the doors on Second Career. We continue to work with all applicants. Applicants who come forward, come forward to Employment Ontario to receive help in terms of finding a job and finding job opportunities. We certainly make sure that they do their due diligence and look at a whole range of options that are available to them. Second Career is but one program amongst a suite of programs to allow people to move on and make the transition back into the workforce.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Rosario Marchese:** You'd better check in with the Hamilton Second Career folks, because the program has been capped. No more applicants were going to be received as of September 4. I don't know where you're at, but that's the information we have.

This program is a mess. It was a mess two years ago and it's a mess today. We hear about a lack of accountability, conflicting requirements for acceptance, a lack of clarity about the funding formula and the length of time applicants have to wait. Now, with no warning, you have capped the program. The people who trusted you have been betrayed.

What do you have to say to the unemployed applicants who spent months finding an appropriate Second Career placement, whose employment insurance is running out, and who have now been left high and dry by your ministry?

**Hon. John Milloy:** I find it more than passing strange when he stood up week after week and said that this program was a failure, and yet here we stand today with 17,500 people who have entered into this program.

The honourable member is wrong. We saw an incredible interest leading up to the start of the school year. We're in a process of assessing the program. We're in a process of dealing with the applications that have come forward. They have not been capped.

I remind all members that when a person comes forward and is looking for help through Employment Ontario, we make sure they explore all options so that they move forward with the most appropriate program—Second Career, Ontario skills development, employment counselling, the whole range that moves forward.

The honourable member is wrong. The honourable member should be standing up and congratulating us on a program that has welcomed 17,500 people into its ranks.

## TAXATION

**Mrs. Liz Sandals:** My question is to the Minister of Revenue. Minister, my constituents in Guelph are proud of the strength of the manufacturing industry in our city. People who work at companies such as Polycon, Denso, Guelph Tool and Linamar rely on their jobs to support their families. But many of my constituents have only been hearing half the story when it comes to the HST. They've heard claims made that the HST is not good for the economy and will actually deter the creation of more jobs in Guelph.

Would the minister tell us if these claims are correct? My constituents are looking for some clarity, preferably from the business community itself. We saw a news release this morning which stated that a group of Ontario business leaders have united in support of sales tax reform. Who should we believe, those who tell only half the story or the very businesses who will be affected by the HST?

1100

**Hon. John Wilkinson:** I want to thank my friend from Guelph for the question. It is true that this morning,



a group of leaders from the business community in Ontario put out a news release in support of sales tax reform here in Ontario. Calling themselves the Smart Taxation Alliance, this group includes—I'll share with the members here—the Ontario Chamber of Commerce, AGS Automotive Systems, the Canadian Chamber of Commerce, the Canadian Council of Chief Executives, the Canadian Manufacturers and Exporters—Ontario, the Certified General Accountants of Ontario, the Ontario Road Builders' Association, the Ontario Trucking Association, the Retail Council of Canada, TD Bank Financial Group and the Toronto Board of Trade. What do they say? They say that we need to modernize our 20th-century taxation system and get it into the 21st century so we can compete for jobs in the 21st century.

I know that in Guelph, we need to send a strong signal to our manufacturers who export around the world that this indeed will be a—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Liz Sandals:** Federal Finance Minister Jim Flaherty supports the HST, and he said the single sales tax "is the single most important step that provinces with RSTs could take to stimulate new business investment, create jobs and improve Canada's overall economic competitiveness." Yesterday, former Ontario Finance Minister Janet Ecker also came out as an enthusiastic supporter of the HST, stating, "Moving to a harmonized sales tax is very good for the economy and it's certainly going to help with our business competitiveness." And now today, we've seen this non-partisan coalition of leaders from the business community support the HST.

But one thing does concern me. Do my constituents have an additional tax burden? Those who are currently unemployed and seniors who live on fixed incomes do not have—

**The Speaker (Hon. Steve Peters):** Thank you.

**Hon. John Wilkinson:** I want to thank my friend. One of the things we have to remember is that we're going to be providing some \$15 billion over the next three years of income tax relief for people, for small businesses and for corporations, and that 93% of personal-income-tax filers here in the province of Ontario will be receiving a personal income tax cut.

But I'd say to the member that it is important that the people who she's referenced in her riding, people of low income, seniors on a fixed income, middle-income people with a lot of children, will also benefit from targeted tax credits. We'll ensure that we apply this new modernized tax reform in a compassionate way. I can tell seniors particularly that we'll be enhancing the Ontario property and sales tax credit.

But those who receive the GST rebate from the federal government will see from their provincial government a large increase in what they receive as well to ensure that this is applied fairly—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## ONTARIO LOTTERY AND GAMING CORP.

**Mr. Peter Shurman:** My question is to the Attorney General. Last Thursday, members of the PC caucus asked the Minister of Finance how much public money the McGuinty government had spent on the Windsor Energy Centre, something that should be a simple matter of public record. Minister Duncan, the Minister of Finance, was unable to answer that question, citing a lawsuit against the OLG, which makes no sense to me.

Attorney General, just how many lawsuits are there against the OLG?

**Hon. Christopher Bentley:** I'll pass the supplementary over to one of my colleagues who can better answer the question.

It's a well-established principle of the law that if a matter is before the courts, it is not appropriate to debate it in other forums. It shows disrespect for the process, it potentially damages reputations outside of the court process and it can undermine the result of the process. That's why we have a system of justice, so that matters can be aired fully before it according to the rules and protections that exist.

I'll wait for the supplementary and determine what he really would like in answer from the government.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Peter Shurman:** That answer, with due respect, is not an answer.

We know of at least two lawsuits: the wrongful dismissal suit by Kelly McDougald and a lawsuit by the party that won the bid to design, build, own and operate the Windsor Energy Centre. Neither lawsuit makes an issue of how much public money the McGuinty government has spent on the energy centre, yet it seems that this government is using these lawsuits as convenient cover.

So my question is again for the Attorney General: Is it your legal opinion that these lawsuits are reason enough to hide the truth about how much public money the McGuinty government spent on the Windsor Energy Centre?

**The Speaker (Hon. Steve Peters):** I just ask the honourable member to withdraw the one comment.

**Mr. Peter Shurman:** I withdraw.

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Dwight Duncan:** In fact, as the Attorney General has pointed out, there is a commercial dispute between the operator and OLG, so I won't be able to comment on that specific lawsuit.

I can say this: In fact, if one looks at public accounts for 2007-08, page 2-99, he will find the following reference—and by the way, this was a project that was separate from the Casino Windsor expansion—"The corporation is committed to the design, construction and commissioning of the energy centre on Casino Windsor property with total costs currently estimated to be in the range of \$65,000,000 to \$70,000,000. As at March 31, 2008, \$50,555,000 (2007-\$11,899,000) has been expended."



It's in the public accounts. It's clear. You ought to read your documents before you ask questions like that.

**The Speaker (Hon. Steve Peters):** New question.

### CORRECTIONAL SERVICES

**Mr. Peter Kormos:** My question is for the Minister of Community Safety and Correctional Services.

Last week on the Global television show 16:9, reporter Mary Garofalo exposed Dave Switzer and his accomplice, Doreen Henderson, now living in New Hamburg, Ontario. She also had interviews with at least a dozen victims, people who were bilked out of life savings.

Why has this man not been arrested, charged and put to trial?

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. Rick Bartolucci:** The member knows, as does every other member in this place, that investigative decisions are made by the particular police service.

If, in fact, a decision is made or an investigation is made by a police service and an individual is not satisfied with that investigation, that person has the right to go to the police service, to the police chief. If, after that happens, that individual is still not satisfied, he or she then can appeal to OCCPS, the Ontario Civilian Commission on Police Services. I would suggest that if there's a concern, there is a process in place.

If the member is asking me to interfere with policing operations, the answer is categorically no.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Peter Kormos:** People have been making complaints about this con man since 2005, and since the broadcast aired, countless other people have come out of the woodwork identifying themselves as victims as well. These people just don't understand because, when they call the police in any number of jurisdictions, the police are passing the buck. They need assistance to ensure that this person, Dave Switzer, is arrested, charged and prosecuted and some effort is made to get restitution.

Why won't you have your deputy minister instruct the Ontario Provincial Police to examine the concerns that have been raised about Dave Switzer?

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. Rick Bartolucci:** Let me just reinforce: I won't be instructing the OPP. I don't interfere. No minister is responsible to interfere with the operational aspects of any particular police service. What we do have in place is a very, very strict oversight procedure.

Let me repeat: The individual can appeal to the individual police service. If not satisfied, they then can appeal to an oversight body called the Ontario Civilian Commission on Police Services.

**The Speaker (Hon. Steve Peters):** New question.

1110

### AIR QUALITY

**Mr. Charles Sousa:** My question is to the Minister of Energy and Infrastructure. Minister, as you know, the

OPA is still planning to bring a power plant into the southwest GTA-Clarkson area. However, the Clarkson airshed study indicated that we have a stressed airshed. In particular, the study showed elevated levels of PM2.5, which has many people concerned about what this might mean to our health. That's why community leaders, ratepayer groups, Her Worship Mayor McCallion and I are united in saying that we don't want a new gas-fired power plant in our airshed.

Minister, given the findings of the Clarkson airshed study, why is the OPA pressing ahead with its plan to put a power plant in the southwest GTA?

**Hon. George Smitherman:** I do want to say to the honourable member, it is duly noted that he is in opposition to a gas-fired power plant in the southwest GTA. I've said on many occasions that it's understandable: Not many people are looking for more energy infrastructure anywhere closer to them than they have to have.

But in the case of this process, we have had a variety of proposals for the location. The city of Mississauga has been instructive in previous advice in saying that they didn't want to see Lakeview continue as a source of power production, so that was taken out of play, to the benefit of the local community. But we are left with the necessity of ensuring that there is an adequate supply of electricity in an area where demand has increased over time. That's why we're committed to working in that airshed with the Ministry of the Environment on strategies that will mitigate emissions, with a view towards helping to improve the quality of air in that area, working alongside the honourable member and others in the local community.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Charles Sousa:** Minister, you recently directed the OPA to delay the RFP to locate a natural gas power plant in the southwest GTA. The purpose of the delay was to give the OPA time to develop a plan to reduce emissions in the Clarkson airshed.

My community has been calling for emission reductions for many years now. There have been numerous town halls and meetings on this very issue. Many have called on me to share their concerns about our air quality in Mississauga South.

We all agree that reducing emissions in our area is the right thing to do, but members still don't know what this plan entails. My question: What is being done to reduce air pollution in south Mississauga?

**Hon. George Smitherman:** I do think that one of the points here that is important is that an airshed has local contributors, and it has those contributors which have come from upwind. The efforts that we're making in the province of Ontario to eliminate coal from our electricity generation, including upwind influences like Nanticoke, will obviously be beneficial overall to air quality in much of Ontario and will have some substantial implications for the southwest GTA.

We recognize that there is work to do in this airshed. That's why the plant has stringent environmental requirements, much beyond those that are demanded by the law,



and that's why the Ontario Power Authority will work again with the Ministry of the Environment and my ministry and other local parties to have strategies over the longer term which will mitigate the emissions in the airshed, with a view towards enhancing air quality there, as we all work together, through the elimination of coal, to advance better air quality all across the breadth of the province of Ontario.

#### VICTIMS OF CRIME

**Mrs. Christine Elliott:** My question is for the Attorney General. We all know the principle that not only must justice be done, it must also be seen to be done. Today we have Patricia Marshall and her two daughters, Lindsay and Courtney, here with us in the chamber. Their situation is one where this principle failed dramatically.

It's your ministry's policy to involve victims in the criminal justice process, yet a senior crown attorney, under your watch, failed to advise Ms. Marshall and her daughters that he was dropping charges of criminal harassment against their neighbour. Attorney General, what do you have to say to Ms. Marshall and her daughters today?

**Hon. Christopher Bentley:** I would say directly to them that the conduct in question was deeply disturbing. Any time a person's sense of privacy, their sense of dignity is violated, it's deeply disturbing, and the crown said this directly to them in a very extensive letter. He has a responsibility to review the facts and circumstances and to determine whether a charge should proceed. He reviewed all the circumstances and made that determination.

He also assessed the sense of public security to make sure that, to the extent one is able, the public security would be advanced, and was being advanced, through the individual obtaining treatment. But he clearly said that he should have and would normally have spoken—and doesn't have a reason why he didn't speak—to the victims and the family before he made the decision.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Christine Elliott:** The same crown attorney told Ms. Marshall that a primary objective in dealing with this young man was to avoid recidivism. Yet, for Ms. Marshall and her family, the story isn't over. Forced to shelter in their basement, they're still living in fear. This is totally unacceptable in the province of Ontario. Faced with this, Attorney General, do you have anything else to say to Ms. Marshall and her daughters?

**Hon. Christopher Bentley:** As I indicated directly to them, we take any conduct such as this very seriously. The crown clearly took it very seriously. He reviewed it very carefully, took a look at all the material that the police investigation had gathered, the other material relating to the facts and circumstances of the case, and made the determination which it is his responsibility to make—not always popular, but the responsibility to make. He also made an assessment as to the public safety and the future safety of the individuals in question and the community

generally, and he reached a determination. In the interests of public safety, it's his determination to make, and he did so responsibly.

#### GRAPE AND WINE INDUSTRY

**Ms. Andrea Horwath:** My question is to the Premier. At least 30 Niagara grape-growing families are threatened with bankruptcy right now, families like Don Wiley's who have been farming for 60 years. The Wiley grapes are ripe, but they remain unsold. The reason? The McGuinty government is okay with the domestic content in cellared-in-Canada wines to sit at a measly 30%. In March, the government ended its 30% rebate program, to add insult to injury, on Ontario VQA wines that are sold at the LCBO. Why is the government standing idly by while the Wiley family and dozens of other families face losing their livelihood in the Niagara region?

**Hon. Dalton McGuinty:** To the Minister of Consumer Services.

**Hon. Ted McMeekin:** I want to thank my friend from Hamilton, the honourable member opposite, for the question. As Ontario's wine industry has matured, it has been vital that we try to balance the grape side with the wine side and understand that it's one industry. The McGuinty government has asked both the Grape Growers of Ontario and the Wine Council of Ontario to work together to help us, in partnership, come up with a strategy that can see us move forward into the next phase of the more mature industry. We're really pleased that they've taken that responsibility very seriously. We've had a number of meetings with them, we continue to meet on this issue and we're quite hopeful that we'll have a strategy going forward with respect to this.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** The clock is ticking. If the Wileys and others don't get support now, they face bankruptcy and poverty. Last fall, the McGuinty government came up with a program to buy unsold grapes. This year, three times as many grapes, some 9,000 tonnes, remain unsold and in danger of rotting on the vine, and the government is doing absolutely nothing. Why is this government ignoring the plight of these grape growers?

**Hon. Ted McMeekin:** With all due respect, I need to point out to the member opposite and to other members in the House that it's the McGuinty government that has provided over \$40 million in assistance to the wine-producing industry since 2003, including \$4 million last year to purchase uncontracted grapes. We support the grape growers, of course, by focusing on VQA wines. VQA wines, for the information of the member opposite, are wines that contain 100% Ontario grape, and that's really our flagship. Both the grape growers of Ontario as well as the Wine Council of Ontario understand, appreciate and have been advocating for an even greater focus on VQA wines, and we intend to accommodate that moving-forward strategy.



1120

## LEGAL AID

**Mr. Yasir Naqvi:** My question is for the Attorney General. There is no doubt that this government is working hard across the board to reduce poverty and provide a wide range of support to families who need it most. We know that Ontario's legal aid system serves some of the most vulnerable amongst us and that in these difficult economic times, there is an even greater demand for legal aid services. For many women and children in Ontario, family legal aid is what stands between them and poverty and abuse.

Legal aid has an obligation to ensure that people in very difficult circumstances have the representation they need, yet this vital service was subject to years of cuts and freezes by previous governments. Would the Attorney General tell this House what steps the government is taking to ensure that Ontario's most vulnerable citizens have access to such essential legal aid services?

**Hon. Christopher Bentley:** The member is quite right, and he has been one of a number who have advocated very strongly for improvements to the legal aid system. He's recognized that we've increased the tariff 15% over the past six years and funded those increases, but he says, "What's the next step?"

So I was very pleased that we recently announced the single largest investment in legal aid's history to make sure that we can support access to justice for the poorest Ontarians. One of the areas where that investment will make a real difference is in the area of family law, because I have—and I know my colleague has—heard throughout the province that those who come before the family courts want access to more information very early on, opportunities to resolve their issues in a collaborative way and opportunities that are in the best interests of the children. This investment will help achieve that justice for them.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Yasir Naqvi:** Back in June I had the opportunity to tour Community Legal Services, located in downtown Ottawa, where I have seen firsthand the vital services being delivered there to those who are most in need in our community. It is clear that investing in Ontario's legal aid system will certainly help protect our most vulnerable and drive significant reforms in our family and criminal courts. This means Ontarians using legal aid services and representation can benefit from more solutions and a client-centred approach.

I know that one of the priorities of the Attorney General has been to take action to reduce delays in our criminal justice system and ensure justice sector resources are being used in the most effective manner possible.

Could the Attorney General inform this House about how this investment in legal aid will contribute to increasing the effectiveness of our criminal justice system?

**Hon. Christopher Bentley:** Again, a very important point. There are two broad initiatives, and we're going to

be setting up advisory groups so that we can get the best advice from those who do the work as to how this investment will improve access to justice for the poorest Ontarians, and our criminal justice and other reforms.

One of the areas in the criminal law sphere is to make sure that people get access not only to advice, but that that advice is supported in a way that encourages early and effective decision-making. We want to make sure that the lawyers who are doing the work have the appropriate support, so they can make the right decision in the right case as early and effectively as possible. We'll be moving, for example, to block fees in that area, which we had before, which will better support justice effectiveness in the long run.

## CEMETERIES

**Mr. John O'Toole:** My question is to the Minister of Government Services. Minister, I'm advised that the Mount Pleasant Group of Cemeteries is a non-profit, non-share capital corporation dating back to a special act of the Legislature passed in 1871. This organization, as you would know, holds stewardship of two of Toronto's oldest, most historic cemeteries: the Toronto Necropolis and Mount Pleasant Cemetery. It now encompasses 10 cemeteries and over 1,200 acres of valuable land in Toronto and the GTA.

However, I'm advised that there is no longer an open process for recruiting board members and that there are concerns over public accountability for what is essentially a valuable national treasure. Over the years, the publicly owned agency has begun to take on the characteristics of and act as a private company.

Minister, in view of your government's recent commitments to transparency, will you take steps to make this process at Mount Pleasant more open and accountable?

**Hon. Harinder S. Takhar:** To the Minister of Consumer Services.

**Hon. Ted McMeekin:** As members of the House know, the government works with a designated administrative authority, namely the Board of Funeral Services, with respect to a number of issues that arise from time to time. The specific issues referenced have some very specific legal implications, and I understand that there's talk or action with respect to legal actions launched, so it would be inappropriate for me to get into any of that detail, as the Attorney General pointed out on a previous question. Suffice to say that we are aware of the situation and our ministry is in the process of working with the partners there to see what role, if any, our ministry might play in moving forward with a successful resolution.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. John O'Toole:** Minister, the Mount Pleasant situation was brought to Minister Smitherman's attention during the election in 2007, and he promised there, in the public forum, to respond. As well, the Premier has been advised, as well as you. The reason they have sought legal opinion, Minister, as you would know, is that you



have frustrated their attempts to have an open, accountable disclosure on behalf of the Mount Pleasant Group. Yet, so far, I can imagine that the citizens have drafted new recommendations for governance that are based on the spirit of the original trust. This would include accountability through elections of directors and making annual financial statements public. Some citizens are concerned that the cemetery—there is an intent to mislead the public or become a regular corporation through stealthful means.

Minister, will you make it clear here today that you will take action to assist this group to establish this as an original trust as it was in law in 1871? Or are you going to keep this under the radar and force them to—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Ted McMeekin:** In fairness, I can't make that commitment today because the legal issues are very complex. This goes back to the late 1800s, and there is considerable legal dispute about the ins and outs, the terms of reference and the carriage forward with respect to those. We are working and will continue to work with Minister Smitherman and the partners involved in looking at this issue, to whatever extent we can move it forward and win some kind of win-win resolution. That, of course, is the kind of action that our government would be committed to.

#### BUS TRANSPORTATION

**Mr. Howard Hampton:** A question for the Minister of Transportation. Greyhound bus lines has said that they will shut down bus services in northwestern Ontario on December 2, leaving literally hundreds of communities and First Nations without transportation services. The government of Manitoba last week met with Greyhound and worked out an agreement so that bus services will continue in rural Manitoba.

My question is this: Why hasn't the McGuinty government met with Greyhound to discuss maintaining bus services in northwestern Ontario? Why doesn't the McGuinty government seem to care about quality bus services in northwestern Ontario?

**Hon. James J. Bradley:** Let me deal with the second part first, because I think most independent and fair-minded people would not agree with that assertion. The member will be aware that the obligation of Greyhound, when they are withdrawing service in areas, is to find a replacement for their service. Already, when they have withdrawn from certain routes, there has been a company or companies that have come forward to provide that service—because I share with the member himself, who represents the area, a concern that there be adequate service for those individuals who require that service. So I am optimistic that there are those who are going to move forward to provide a service for the people in the area with which I think they will be satisfied.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Howard Hampton:** The minister needs to take a closer look at what is happening because, in fact, over the

last six years under the McGuinty government, communities have lost frequency of bus service and some communities have lost bus service altogether, and they don't have rail service and they don't have train service. So saying that someone else is going to come in and do the job hasn't been working.

I want to remind the minister that the Ontario government is the principal operator already of two bus services in the province. This government gave GO Transit \$35 million last year to provide bus services for people to move from municipalities outside Toronto into Toronto. You gave Ontario Northland \$25 million to ensure that there were bus services and some train service in north-eastern Ontario. How do you then tell the people of northwestern Ontario, "You're on your own," and, "Oh, we hope that somebody else comes along to pick up some kind of service"? How do you justify that differential of attitude?

1130

*Interjections.*

**Hon. James J. Bradley:** What has happened to the old Progressive Conservative Party in Ontario, when you have that going on in the House?

I say to the member, it's a very good question because it's a service that is really required, but the service that has been provided, I am informed, by Caribou has been a good service for people. That does not mean there's not a need for exploring further options, and I do know MTO is prepared to meet with the company to explore those options.

I know what the member said about Greyhound at the time. He may have changed his mind, but I remember he said that Greyhound is crying poor in Manitoba, even though it has just built a new terminal at the Winnipeg airport, and, "I have no doubt that they're probably losing money ... but this is more than anything else a bargaining tactic." So I know—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### ABORIGINAL AFFAIRS

**Mrs. Maria Van Bommel:** My question is for the Minister of Aboriginal Affairs. I know that our government uses Justice Linden's recommendations in the Ipperwash report as a guide for working together with First Nations and Metis across Ontario. One of the key recommendations in the report is the implementation of the new relationship fund. This summer you announced over \$12 million in funding for First Nations and Metis communities and their organizations through the new relationship fund.

Minister, my constituents and the First Nations in my riding of Lambton-Kent-Middlesex would like to know the status of the new relationship fund and how it will help aboriginal communities to grow and prosper across Ontario.

**Hon. Brad Duguid:** I'm pleased to respond to the member's very important question, but first I have to



recognize the efforts the member is making in her community to bring her municipal community together with the people of Kettle and Stony Point First Nation. It's tough work, but it's very, very important as we work towards reconciliation.

That's what the new relationship fund is all about. We're investing \$25 million over two years in this fund to help First Nation and Metis communities more effectively engage with government and the private sector on important land resource and other development initiatives.

In July, our government helped 105 Ontario First Nation communities build up their capacity. In August, our government provided \$2.6 million to the Métis Nation of Ontario on behalf of its 26 community councils by providing these—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Maria Van Bommel:** Thank you very much, Minister, for your comments and recognition of the importance of building relationships.

I know that the new relationship fund was established in 2008 to fulfill a key recommendation of the Ipperwash inquiry report and is another step in strengthening the McGuinty government's relationship with the aboriginal peoples of Ontario, but this fund is only one of the ways that this government can build stronger, more prosperous First Nations and Metis communities across the province. What else is your ministry doing and what else has it done to build strong relationships with our aboriginal citizens?

**Hon. Brad Duguid:** Over the last six years, times have changed in this province when it comes to the relationship between the government of Ontario and the First Peoples and Metis communities and leaders in this province. We've taken on a number of initiatives, all in partnership with First Nations and Metis people.

We've established the Ipperwash Inquiry Priorities in Action Committee to partner with First Nation and Metis leadership to identify and implement priorities.

We've signed a historic agreement, and I know the member was present when we did, with the Chippewas of Kettle and Stony Point First Nation to transfer Ipperwash Provincial Park.

Together with the Algonquins of Ontario and Canada, we signed a negotiation framework agreement, an agreement on consultation, to move forward with negotiations to resolve Algonquin land claims in eastern Ontario. This is the largest land claim in our province's history.

We've established a framework agreement with the Métis Nation of Ontario. For the first time ever, the Métis Nation of Ontario was acknowledged by the government of Ontario.

There are many, many more things we can talk about—

**The Speaker (Hon. Steve Peters):** Thank you. The time for question period has expired.

## ANSWERS TO WRITTEN QUESTIONS

**Mr. Ernie Hardeman:** Mr. Speaker, I rise on a point of order under section 99(d), which states, "The minister shall answer such written questions within 24 sessional days, unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be."

I have six questions to the Minister of Agriculture, Food and Rural Affairs on the order paper, a number of which are from December 2008, and the others are from January 2009. I believe the 24 sessional days have since passed, and I would ask when I could expect a reply to those questions.

**The Speaker (Hon. Steve Peters):** I thank the honourable member for the point of order. It is a point of order. It is my understanding that interim answers have been filed, but I would encourage the honourable minister to instruct her staff to meet the requirements of the honourable member as he has asked.

**Mrs. Joyce Savoline:** I too rise on a point of order on the same issue. On January 25, I filed an order paper question. Twenty-four sessional days have long ago passed and there has been no answer received.

**The Speaker (Hon. Steve Peters):** I would just ask that all members—if you are to look at today as an example, on page 34, there are a number of questions that have not been answered. I would ask that the respective ministers review and have their staff review this list and to please ensure that the needs of the members are met.

There being no further business, this House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1137 to 1500.*

## INTRODUCTION OF VISITORS

**Mrs. Linda Jeffrey:** It's my pleasure to introduce guests from Brampton: Mr. Gursharan Singh Puar, who is the father of my parliamentary assistant; Mr. Hariqbal Singh Puar, who is visiting from India; Mr. Mann Singh Aulakh, who is an airport taxi driver; Mr. Tejbir Singh Dhillon, who also works at the airport as a taxi driver; and Mr. Bhupinder Singh Grewal, who is a small business operator in Brampton. Welcome.

**Mrs. Maria Van Bommel:** I just want to introduce everyone to the newest Van Bommel grandchild. She was born at noon today and her name is Lily Van Bommel. Her parents are Angela and Rene Jr. She has two brothers, Rene III and Matthew, who are now responsible to make a tomboy out of her. I have to go out and get some nifty red boots, and I'm going to see what Opa has to say about that.

**The Speaker (Hon. Steve Peters):** Congratulations.



I'd like to take this opportunity on behalf of the Leader of the Opposition to welcome some guests in the west members' gallery today: Ambassador David Lee, the representative of Taiwan in Canada; Mrs. David Lee; Mr. Phillip Leong; Mr. K. J. Wang; Mr. Wayne Fan; Mrs. Cindy Fan; and Constance Wong. Welcome to Queen's Park.

## MEMBERS' STATEMENTS

### JIM McCARTER

**Mr. Norman W. Sterling:** I rise today to pay tribute to an officer of this Legislature and a good friend: Ontario's Auditor General, Mr. James McCarter. This summer, Mr. McCarter was elected a fellow of the Institute of Chartered Accountants of Ontario. Fellows are elected by the council of the institute once every three years in recognition of having brought distinction to the chartered accountant profession with outstanding achievements in their careers, community leadership and service to the profession.

This is a great honour. Less than 3% of the chartered accountants are given this title, and a two-thirds majority vote of council is required to elect a nominee.

Having worked closely with Mr. McCarter for the past six years as Chair of Ontario's Standing Committee on Public Accounts, I certainly recognize how deserving he is of this honour. Jim is very thorough, very fair and very helpful to the public accounts committee. Ontarians are very lucky to have such a diligent and hard-working person looking out for their tax dollars.

I know that all members of the public accounts committee and all members of this Legislature join me in congratulating James McCarter on this distinction.

## CELEBRATE BISEXUALITY DAY

**Ms. Cheri DiNovo:** Today, it's my honour to read a statement from the NDP LGBT committee on behalf of Celebrate Bisexuality Day, September 23. This is a day that takes place each year on September 23, started by activists in 1999.

Celebrate Bisexuality Day puts it on the map with its call to promote bi-visibility and celebrate the wonderful diversity of bisexual lives. Events are held all over the world, including Canada, on and around this date to raise the profile and bring people's attention to the uniqueness of those lives.

The LGBT committee of the NDP proudly pledges our solidarity and support with our bisexual brothers and sisters on this day of celebration. The LGBT committee of the New Democratic Party believes in halting roll-backs of achieved rights, including spousal benefits and same-sex marriage; supporting international struggles against discrimination; and including gender identity and

expression in the Ontario Human Rights Act and the Canadian Human Rights Act.

In August at the Halifax 2009 convention, they adopted a resolution drafted seeking to end discrimination in health care, including to work proactively against homophobic, transphobic and heterosexist discrimination in the health care field.

I certainly second this initiative by the LGBT committee and wish them well on this day.

## UBISOFT

**Ms. Laurel C. Broten:** We all recognize the emergence of the knowledge-based economy. To compete with countries like China and India, we need to continue to make investments in our strongest asset, our people.

Our government has long recognized this, and I'm very proud to be part of a government taking bold action to create the next generation of jobs that build on the existing strength in Ontario's economy. The McGuinty government's \$263-million strategic investment in Ubisoft will help them establish a presence in Toronto and see them invest in a new state-of-the-art studio that will begin operation later this year.

Ubisoft chose Ontario because of its talented workforce, competitive tax environment and strong ties with Toronto's film industry. This cutting-edge studio will not only produce some of the best-selling video games, but will create high-quality jobs in the new knowledge economy.

This government's investment will create 800 jobs over 10 years and countless spinoff jobs. The investment in the jobs of today and of the future underscores our government's commitment to Ontario workers.

We will continue to work hard to create a positive business environment and stronger economy for all Ontarians. As chair of the government's Toronto caucus, I'm proud to see this investment and new development here in our city of Toronto.

## LEGION WEEK

**Ms. Sylvia Jones:** I rise today to recognize Royal Canadian Legions across Ontario during this week, as we mark Legion Week.

Since its inception more than 80 years ago, Legions have honoured Canada's war dead through many acts of remembrance and by providing support and a strong voice for our service members, both past and present, and their families.

As the representative for Dufferin-Caledon, I want to especially recognize the Orangeville, Shelburne, Alton and Bolton Legions for building a legacy of volunteerism in our communities through their programs and fund-raising efforts supporting many local programs and activities.

At every event I attend organized by the Legion, I'm reminded of the important role they play. Whether it's sponsoring a public speaking competition for students,



fundraising to upgrade their facility for better accessibility to meet the needs of their community or providing assistance to a soldier returning from Afghanistan, the Legion is a pillar of support in Dufferin-Caledon.

I applaud every Legion member this week for their incredible contributions and outreach in our communities.

#### RAPPORT YOUTH AND FAMILY SERVICES

**Mrs. Linda Jeffrey:** Last week, I had the pleasure of attending the 40th anniversary dinner of Rapport Youth and Family Services in Peel.

I first met the leadership of this group when I was elected to the Legislature in 2003. At that time, they had just completed a four-year volunteer connection program which was funded by Trillium.

Rapport recognized a long time ago that Peel has a higher proportion of young children and young families in our midst. Since that time, Rapport has worked hard to create innovative programs to offer high-risk youth in Brampton programs that benefit the entire community. These programs address anger management issues as well as bullying, by building self-esteem and social skills in our young.

Rapport has come full circle by now organizing a symposium for youth to learn about and get involved in programs focusing on creating a world that is socially, economically and environmentally sustainable. This annual event is also designed to encourage youth to engage and reach out to community-based organizations, exploring opportunities to transform their interests into action through volunteerism.

Rapport is a grassroots organization staffed by people who try to improve the lives of young people between the ages of 12 and 20 who are experiencing personal, social or family problems. Rapport volunteers are people in ordinary circumstances doing extraordinary work.

Thank you for the leadership you provide, the services you deliver and the 40 years of strength that you've brought to the community of Brampton.

#### HOSPITAL SERVICES

**Mr. Ted Arnott:** Halton Healthcare recently applied for a CT scanner at the Georgetown Hospital. This new CT scanner would mean reduced wait times and improved local access to this essential diagnostic procedure. It would mean better medical care all around.

In October of 2007, on the very day after I was re-elected to the Ontario Legislature, I did not take the day off. I was in my office, and my first official act that day was to write to the Minister of Health. I wrote to support Georgetown Hospital as it prepared its application and urged the minister to review it swiftly. I have written several subsequent letters expressing my strong support, including one as recently as August 28. I intend to continue being an active advocate for the health care needs of the people of Halton Hills.

1510

Further, I want to thank the Mississauga Halton LHIN for its support of the Georgetown CT scanner and its quick turnaround time. Cindy McDonell, chief operating officer at the Georgetown Hospital, also deserves our thanks for her leadership in this proposal. I also want to thank the hospital's board, foundation, doctors, staff and dedicated volunteers for their important work.

Some time ago, I requested a copy of the submission, and I've had a chance to review it. Today I urge the Minister of Health to respond quickly in the affirmative to Halton Healthcare's application and approve a CT scanner for the Georgetown Hospital, serving the community of Halton Hills, which I'm so privileged to represent.

#### ASSOCIATION FRANÇAISE DES MUNICIPALITÉS DE L'ONTARIO

**M. Phil McNeely:** La semaine dernière, l'Association française des municipalités de l'Ontario a fêté ses 20 ans de succès à l'occasion de sa rencontre annuelle de 2009. Des représentants de 39 corporations municipales et de plus de 30 associations et institutions provinciales se sont rendus à Cochrane, Ontario, pour soutenir les intérêts des francophones de la province.

L'AFMO travaille à maintenir et à améliorer la prestation de services municipaux en français et offre des services de perfectionnement aux personnes élues. Il en résulte que les Ontariens, francophones et anglophones, bénéficient tous les deux d'une meilleure gouvernance. J'encourage tous les membres de cette Assemblée à participer à cette très importante rencontre en 2010.

Permettez-moi de féliciter l'association et ses membres pour leur engagement et pour les services de valeur qu'ils fournissent. De façon particulière, je veux reconnaître Lorraine Dicaire, présidente de l'AFMO; Jean-Yves Lalonde, vice-président de la région de l'est; et Clermont Lapointe, vice-président de la région du nord. Ces gens travaillent très fort à promouvoir les intérêts des francophones.

L'Ontario est enrichi par ces communautés francophones et anglophones très animées qui vivent côte à côte. L'AFMO renforce ce dynamisme et je la remercie pour son engagement.

#### ST. FRANCIS XAVIER CATHOLIC HIGH SCHOOL

**Mr. Jean-Marc Lalonde:** I would like to congratulate the faculty of St. Francis Xavier Catholic High School in Hammond on the success of their music program. St. Francis Xavier Catholic High School has broken a new record of enrolment for their music program. This year, the senior concert band is topping 135 students in grades 10, 11 and 12. This means that almost 50% of the school's senior students are part of the band, and it makes them one of the largest music programs in the Ottawa Valley. This is a huge accomplishment given that when



the program started in 1995, it only had 15 students in the senior concert band.

I would like to congratulate all the band members and acknowledge the very hard work of program directors Stephen Pankiewicz and Marc Larocque. I would also like to thank the Ministry of Education for recognizing the importance of the arts in school by introducing the \$45.5-million enhancement grant program to support initiatives in art and music.

### INTERNATIONAL PLOWING MATCH

**Mr. David Ramsay:** I'd like to congratulate all the organizers and volunteers who have done a bang-up job in Timiskaming district in putting on the first-ever International Plowing Match in northern Ontario. It is one of the biggest and one of the best, and I'd like to thank the Premier and members from all sides of the House, who did come up yesterday to share in part of the opening ceremonies.

**Mr. Gilles Bisson:** We were all there.

**Mr. David Ramsay:** It was really great—and the member from Timmins–James Bay was there, I know, as the neighbouring riding. He very much enjoyed it and felt at home there.

All members are certainly welcome to come—and just to say to all members: There's still time to come. It goes on until Saturday, and the weather's going to be great. It won't be 34 humidex up there either, that's guaranteed, so you'll be very comfortable.

I'd also like to thank all the following agencies and ministries of government that have helped put this on: the Ontario Trillium Foundation; Ontario Cultural Attractions Fund; the northern Ontario heritage fund; Ministry of Tourism Celebrate Ontario; the Ministry of Training, Colleges and Universities; the Ministry of Transportation—and the minister is here today—for all the road-work that was necessary to bring in the proper accesses to the site; and the Ministry of Northern Development, Mines and Forestry. Also, special thanks to the OPP and Hydro One for really making it a safe and efficient place to gather for rural Ontario. Again, welcome to everybody to come up this week.

### INTRODUCTION OF BILLS

#### INTERPROVINCIAL POLICING ACT, 2009

#### LOI DE 2009 SUR LES SERVICES POLICIERS INTERPROVINCIAUX

Mr. Bartolucci moved first reading of the following bill:

Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and

territories and to make consequential amendments to the Police Services Act/ Projet de loi 203, Loi visant à permettre une meilleure coopération avec les autres provinces et les territoires du Canada en ce qui concerne les services policiers transfrontaliers et à apporter des modifications corrélatives à la Loi sur les services policiers.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement.

**Hon. Rick Bartolucci:** I'll make my statement during ministerial statements.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### LAW ENFORCEMENT

**Hon. Rick Bartolucci:** Crime knows no borders. In our ongoing effort to reduce crime and protect Ontarians, we must adopt the necessary measures to make it easier for police to investigate criminals and their illegal activities wherever they happen in Canada. Therefore, we must give police the powers they need to continue their investigations across provincial and territorial boundaries.

The Interprovincial Policing Act, 2009, which I am introducing today, would, if passed, establish a process whereby an Ontario official appointed by the Minister of Community Safety and Correctional Services could grant a police officer from another Canadian jurisdiction permission to enter Ontario and perform police duties. Similar legislation in other Canadian provinces and territories would grant reciprocal authority to Ontario police officers working outside Ontario.

On September 11 of this year, Quebec's intergovernmental affairs minister and Quebec's Minister of Public Security joined me in signing a declaration committing both our provinces to introducing this type of legislation. Such legislation would allow for reciprocity between our two neighbouring provinces in the matter of cross-border policing.

This would create a streamlined and efficient system for enabling police to continue their investigations outside their home provinces. It would update a system already in place and provide greater accountability while enhancing the ability of police to pursue investigations across borders. We would also make sure that extra-provincial police officers working in Ontario and Ontario police officers working in other jurisdictions would be held accountable for their actions.

The proposed legislation would provide a more seamless approach to law enforcement and will help make Ontario safer. Currently, extraprovincial police officers operating in Ontario must be appointed as special con-



stables by a municipal police services board or the Ontario Provincial Police commissioner, with the approval of the Minister of Community Safety and Correctional Services. This process can sometimes delay the operations and criminal investigations of our police services.

The special constable system does not automatically allow for the extraprovincial police officer to have all the powers of an Ontario police officer, nor does it address issues of oversight, discipline and civil liability for the extraprovincial police officer. In addition, Ontario police officers do not automatically retain their authority when they cross provincial boundaries.

1520

In recent years, police services have increasingly been faced with investigating criminal activity that extends beyond their provincial boundaries. For example, major investigations in bank robberies and organized crime, including motorcycle and youth gangs, often straddle these borders.

Police services in Ontario and other provinces have called for legislation that would allow provincially appointed police officers to retain their police officer powers when they travel to another police jurisdiction on police business. A working group set up by the Uniform Law Conference of Canada addressed this issue and, in 2003, proposed a model statute on cross-border policing for all provinces. Manitoba, Nova Scotia, Saskatchewan and New Brunswick have already adopted cross-border policing legislation based on that model, which establishes a process for granting authority to extra-provincial police officers. Ontario police services that border Quebec have asked that both Ontario and Quebec implement cross-border policing legislation to allow for seamless policing across provincial borders. The Inter-provincial Policing Act, 2009, which we are proposing today, responds to those needs, as expressed by police services.

Our policing partners, such as the Police Association of Ontario and the Ontario Association of Chiefs of Police, also support this initiative because it provides a mechanism for their members to deal with the increasing incidence of interprovincial crime. The proposed legislation would allow the Minister of Community Safety and Correctional Services to provide designated officers with the authority to extend the same powers held by Ontario police officers to out-of-province police officers who need to work in Ontario. It would also allow municipal police chiefs and Ontario provincial police detachment commanders to extend these powers for short periods in urgent circumstances. The process we are proposing would be more efficient and effective than currently exists.

Ontario's proposed legislation would address concerns raised by our police partners and would establish a system of oversight discipline and indemnification for civil liability. It would make it easier for police to target criminals and illegal activities, would enhance the existing collaboration between Ontario and Quebec on the key issues of community safety in both jurisdictions

and bring Ontario in line with several other Canadian provinces, and it would ensure that extra-provincial police officers working in Ontario and that Ontario police officers working in other jurisdictions could be held accountable for their actions.

This measure deserves the full support of the members in the House. It reflects the McGuinty government's commitment to community safety by helping our police target criminality wherever it is found, and that means greater safety and security for all Ontarians.

## NATIONAL BIOTECHNOLOGY WEEK

### SEMAINE NATIONALE DES BIOTECHNOLOGIES

**Hon. John Milloy:** I rise today as Minister of Research and Innovation to speak about National Biotechnology Week, an important one for Ontario. Biotechnology, as members know, is vastly important to our province and our citizens. Ontario's thriving life sciences sector, which includes biotech, employs more than 43,000 people at some 850 companies generating about \$14 billion in revenues annually.

Just yesterday I attended an event hosted by the Biotechnology Initiative. This stakeholder event was held at vaccine maker Sanofi Pasteur to celebrate National Biotechnology Week. I was standing where some of Canada's greatest biotechnology achievements have emerged: the development of a diphtheria vaccine that has saved thousands of children, the injectable polio vaccine, work leading to the eradication of smallpox, and the world's most advanced whooping cough vaccine.

But biotech is not just about innovative vaccines, drug development and health care. Our government is investing in research and innovation that will help green our world and create the next generation of high-paying jobs in other key biotech areas as well. We can speak of the research that's being done across our province to find new ways of using crops to build stronger, lighter, greener auto parts through our support of the Ontario BioAuto Council. There is the work that's being done in Thunder Bay at the new centre for research in the bio-economy, which was launched earlier this year, and the related work happening across the province, from Sarnia to Kingston, to find new revenue streams for the forestry sector through innovations in forestry bioproducts.

In biofuels, we have projects in London at the University of Western Ontario, where researchers are partnering with business to develop the next generation of biofuels using agricultural by-products like corn husks.

Le monde recherche des solutions qui permettraient de mieux traiter et de mieux prévenir la maladie, de créer des soins de santé durables, de faire face au changement climatique et de trouver des moyens plus propres et plus durables de produire l'énergie qu'il nous faut.

En Ontario, nous voyons les défis mondiaux et aussi les énormes possibilités qu'ils présentent, celles de collaborer et de mettre à contribution nos dons, notre



engagement et notre imagination pour la réalisation de bioproduits, de services et d'emplois de l'avenir.

The McGuinty government is proud to be a global leader when it comes to support for the bio-based sector. FierceBiotech has already named us one of the top five places in North America for biotech. Premier McGuinty was honoured with the global Biotechnology Industry Organization's leadership award this year, a worldwide recognition of the actions of the McGuinty government, the actions that they're taking to support and advance this important sector.

Let me tell you more about what we are doing. Ontario's innovation agenda will see \$3.2 billion invested to support the work that innovative people and companies are doing across our province. Specifically, we are supporting our world-class researchers to the tune of \$1.3 billion because we know that it is their discoveries that will lead to the next generation of products, services and technologies. It's also why we created the \$150-million biopharmaceutical investment program or, as it's affectionately known, BIP. We are getting results. BIP has already leveraged an additional \$139.8 million in private sector investment over the past 18 months.

Earlier I spoke of Sanofi Pasteur. Through BIP, we were able to partner with Sanofi to build a new research and development facility at their north Toronto campus. This means retaining 900 existing research and manufacturing jobs and creating 30 new, permanent high-skill research jobs alongside 300 new construction jobs. Our government is committed to attracting, retaining and igniting growth in more companies like Sanofi.

We recognize that tax incentives are important to attracting innovative thinkers and companies to our province. In fact, after Ontario and federal corporate income tax incentives are implemented, a single dollar invested in R&D will cost as little as 35 cents.

We are also cutting Ontario's marginal effective tax rate on new investment in half, and we are creating a 10-year tax exemption for companies that want to commercialize, in Ontario, intellectual property coming from college, universities and research institutions across Canada. Our harmonized sales tax is also an important cost-saving measure for the biotechnology industry.

Everything we are doing is aimed at making Ontario one of the best places in the world to turn new knowledge and new ideas into better health care, cleaner energy and more sustainable ways of doing business and going about our daily lives. Our goal is to be one of the top three jurisdictions in the world for biotech. We will succeed in the same way that we always do, by thinking big and working together.

Thank you.

**The Speaker (Hon. Steve Peters):** Statements by ministries? Responses?

#### LAW ENFORCEMENT

**Mr. John O'Toole:** Mr. Speaker, with your indulgence, on behalf of the opposition and our leader, Tim

Hudak, I'll be responding, in the first instance, to the Ministry of Community Safety and Correctional Services on behalf of Garfield Dunlop from Simcoe North.

Listening to the minister's comments on that, we would agree on this side. There's been no stronger advocate for law and order and supporting our police services than Garfield Dunlop. I think that can be attested by all the members here. We are of the opinion that crime knows no borders, and that is the issue that is at stake here. But I think it's a little too little, too late. The report that I'm responding to here was issued in 2003. That bill was modeled after the Cross-Border Policing Act, which was adopted in 2003 by both the criminal and civil sections of the Uniform Law Conference of Canada. When I look at other provinces, in fact, provinces that are less resourced, like Manitoba, Saskatchewan, Nova Scotia and New Brunswick, they have already enacted similar legislation. So I think it's a case that you close the barn door after the horses are gone.

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That being said, it is a very large bill that does affect the police services in Ontario. In fact, I would hope that are you're working in co-operation with the police association as well as the chiefs of police. Each member on this side I'm sure is in regular contact with their chiefs of police. I think of Chief Mike Ewles, who has told me often of the work they're doing, but not getting the fair share of resources when working with the drug enforcement squad and the guns and gangs from the city of Toronto. So there is a lot of work to be done, and I'm sure the minister is aware of that.

I think of the police chief in Toronto, Bill Blair, in terms of his work that is required—are you giving them the proper resources? I know you were slow out of the gate in terms of giving them the funding, that is, the resources to do the job, even though you promised it during the election.

#### NATIONAL BIOTECHNOLOGY WEEK

**Mr. John O'Toole:** Turning the page to the statement today by the Minister of Research and Innovation, the Minister of Training, Colleges and Universities: Again, on behalf of our critic, Jim Wilson, from Simcoe-Grey, I know that he is a great believer in innovation. On this side, I think we really cloned the term "innovation" in terms of trying to do things differently; otherwise, you're just repeating the mistakes of the past.

In support of the biotech industry, I recognize that this is biotech recognition week nationally and it's appropriate that the minister makes a statement. When I look at the details of the statement, he spoke of a number of sectors they've helped to, as he says—I like the one phrase that's really interesting, Mr. Speaker, if I digress humorously in the very limited time I've been given: the Next Generation of Jobs Fund. The Next Generation of Jobs Fund really says a lot. Their jobs fund will be in the next generation. It will be 10 years from now.

You've mentioned the one case, the BIP grant, the hundreds of thousands of dollars for so many jobs.



Working out the numbers, it's about \$200,000 per job over the next 10 years. You actually would be further ahead to cut them a cheque and let them get on with it. Then we looked at the Second Career chances. You've capped that fund. The question was asked this morning; you ignored it and avoided it.

When it comes to innovation, you have to learn to do things differently. I don't see any evidence of that. In the apprenticeship reform, I don't see any evidence there. I don't see it anywhere. In fact, they should have a debate this afternoon about the lack of innovation on the part of the government.

We're disappointed—how much of this money has actually flowed? How many jobs have actually been created? If I could have those questions responded to, I'd feel somewhat satisfied. You said you're spending \$3.2 billion. How many jobs have you created? All I know from the facts—and the economists are all stating it; they are concerned that there's going to be no growth until 2011. We've got a whole year. We have 330,000 individuals unemployed—330,000 people. That's 330,000 families that don't have an income and a paycheque, and you're spending hundreds of thousands of dollars to create jobs for people who are well educated and well qualified.

This really is another case where a government—now, there is another one. They did one more announcement. You talked about the auto sector. In the auto sector, you came up with a \$10,000 grant for the Volt car, but you cut out the only Canadian company, ZENN, that makes cars in Canada. You wouldn't approve them, so they're not entitled to the money. You're giving money to an American company but not to Canadians. What is this fund about, creating jobs outside Ontario or looking after Ontario?

Both of these announcements today leave me feeling somewhat disappointed. When you think of it, the people of Ontario are worried about jobs and the economy, and this is all false talk and false promises about things that are going to happen sometime in the future. Look to other provinces: They are taking things seriously and making a difference. I don't see any of that here today.

#### LAW ENFORCEMENT

**Mr. Peter Kormos:** I respond to the Minister of Community Safety on behalf of the New Democrats. I was at the announcement earlier today when he held a press conference. I found it an interesting proposal and acknowledge that this is based on the uniform law process. I'm looking forward to debate on it, even more so to hearings, because I want to hear what the police officers have to say. I want to hear what police service boards have to say. I want to hear what big city as compared to small town has to say.

The one thing that troubles me, and this is without analyzing the bill thoroughly yet, is that we have to be very careful not to relinquish our authority over who is a police officer in the province of Ontario. The appoint-

ment process, as it has been described, and especially the fast-track appointment process—the police officer has powers under the Criminal Code; he or she carries a gun—I think it's incredibly important that there be a clearing process to make sure that only the most qualified, most competent, most responsible police officers from other jurisdictions enter the province of Ontario to perform the role of policing.

Those are the sorts of things that we're interested in with this legislation. I suspect it's not going to be a lengthy process, but it's going to be a thorough one, because when we're talking about policing we're talking about community safety truly, but we're talking about the welfare of police as well as the welfare of the public.

So I want this to be an exhaustive understanding of what the legislation does. I want to ensure that it is based on the uniform law proposal. I want to ensure that it's consistent with the other existing regimes that have this process available to them.

I want to take advantage of this opportunity to raise once again, because it was only this morning that we were talking about policing here in the province of Ontario—we were talking during question period about con man Dave Switzer and his accomplice, Doreen Henderson, who have been ripping senior citizens off—some, of their life savings. A broadcast on Global Television resulted in even more people contacting Global and talking about being victims of these people, yet we haven't seen them being investigated by the police. What is the minister saying—that we need Quebec police officers in Ontario to do the job that Ontario cops are supposed to be doing? I hope not. And I'm saying that this gives me an opportunity to underscore once again how these victims have been let down by policing here in the province of Ontario itself, never mind any other jurisdiction.

#### SEMAINE NATIONALE DES BIOTECHNOLOGIES

**M. Gilles Bisson:** Le gouvernement a bien le droit de dire que les bioproduits, c'est quelque chose qui est important pour l'économie de l'Ontario. Les néo-démocrates y sont complètement d'accord. La question devient, quelle est la manière pour être capable d'achever le but, d'accélérer les investissements dans cette section d'une manière qui est intéressante pour l'industrie et pour le Canada et l'Ontario en général.

Le gouvernement a pris certains pas. Il ne faut pas dire que le gouvernement n'a rien fait. Le gouvernement a pris des pas, mais ce sont de tout petits pas. Les souliers ne sont pas bien grands. Si on mesure la pointure de ces souliers-là, ce n'est même pas rendu à des deux ou des trois. On a besoin d'avoir des pas plus importants que ça pour avancer les investissements nécessaires.

On sait qu'aujourd'hui, l'économie est en train de se reformer et on a besoin d'investir dans ces industries qui vont donner à l'Ontario l'habileté de se situer dans le futur d'une manière qui est intéressante quand ça vient à la compétition avec d'autres juridictions, telles que les



autres provinces canadiennes, mais plus important, l'Europe et l'Asie, parce que c'est une grande partie de la compétition avec laquelle on a à faire.

Donc, le gouvernement a fait des annonces. Ils ont mis en place ce fameux programme BIP dont ils aiment beaucoup parler qui coûte \$140 millions ou \$150 millions, mais c'est un « token » quand ça vient à combien on a besoin de mettre en place pour assister. Oui, on a besoin d'accélérer des crédits d'impôts pour être capables d'accéder aux chiffres plus importants et plus intéressants quand ça vient à l'investissement, mais on a aussi besoin de travailler avec d'autres ministères à travers le gouvernement. Collèges et universités—c'est le même ministre qui est responsable d'un ministère, et de l'autre ministère qui est aussi important quand ça vient à ces investissements-là.

On a besoin de donner du soutien aux collèges, aux écoles secondaires et aux universités à travers cette province pour qu'ils soient capables de mettre en place une programmation qui est là pour attirer les jeunes du secondaire et les amener au collège ou à l'université pour faire l'ouvrage qui est nécessaire et qui va accélérer les investissements dans ce secteur.

## PETITIONS

### HOSPITAL SERVICES

**Mr. John O'Toole:** It's a triple-hitter here today.

It's a pleasure to present a petition on behalf of my constituents in the riding of Durham.

"Whereas many Ontarians are concerned that the McGuinty government's new local health integration networks (LHINs) will lead to the concentration of health care services in large regional centres; and

"Whereas many local hospitals provide outstanding care in smaller communities; and

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"Whereas Lakeridge Health Port Perry"—as an example—"serves as an excellent model for a wide range of hospital care provided close to home; and

"Whereas citizens want to see the continuation of these services, including obstetrics, general surgery and the ER;

"Therefore we, the undersigned, ask that the province of Ontario support community-based hospitals through fair funding and through policies that recognize the importance of local hospitals" in smaller and rural communities.

I'm pleased to sign and support this, and present it to Robert, one of the new pages here.

### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** I'm really pleased to present another 200 names on a petition to bring a PET scanner to the Sudbury Regional Hospital. It reads as follows:

"Whereas the Ontario government is making positron emission tomography, PET scanning, a publicly insured health service ... ; and

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and will ask page Nicole to bring it down to the Clerk.

## TAXATION

**Mr. Bob Delaney:** I have a petition that was given to me by a number of seniors at the Peel Fountain of Youth Seniors Club, and I'd especially like to thank Edla Steward, Grace Dolly and Anne Fenner. It reads as follows:

"Whereas a retail sales transaction in Ontario should not be subject to two separate taxes, at two different rates, under two sets of rules, and payable to two different levels of government; and

"Whereas Ontario will implement a comprehensive package of income and business tax cuts in 2010, which will especially benefit working families and retired seniors; and

"Whereas the income taxes of Ontarians will be cut permanently, seniors will receive double their former property tax credit and other permanent savings will flow to Ontarians; and

"Whereas the cost to businesses to produce goods will go down permanently as embedded sales tax is permanently eliminated from the business cycle, enabling these businesses to lower business costs, and pass savings along to their customers; and

"Whereas these measures represent the most comprehensive tax reform in a half century, enabling Ontario to be the most competitive place in North America to create jobs, move, grow and operate a business;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, and the members of the Ontario Legislative Assembly, swiftly enact Ontario's comprehensive tax reform measures, including the move to a single sales tax in Ontario, as proposed in the province's 2009-10 budget."

I absolutely agree with this. I'm pleased to affix my signature and ask page Jacob to carry it for me.

**The Deputy Speaker (Mr. Bruce Crozier):** I remind all members that you can summarize long petitions.

### PROTECTION OF MINORS

**Mr. Ted Arnott:** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas there is no law in Ontario prohibiting pornography and other sexually explicit material from being viewed on computers in public schools and libraries; and

"Whereas there are public schools and public libraries that do not use Internet filtering software on computers that blocks such inappropriate material; and

"Whereas parents in the province of Ontario have the right to ensure their children are protected from pornography and other inappropriate material available on the Internet in their public schools and libraries;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows: That all public schools and libraries in Ontario be required to install Internet filtering software on computers to avoid viewing of sites with inappropriate, explicit sexual content."

It's signed by dozens of my constituents, most of whom are from the Centre Wellington area.

### DENTAL CARE

**Mr. Michael Prue:** I have a petition that reads as follows from the good city of Mississauga:

"Whereas \$45 million a year for five years was promised for dental care for cash-poor people during the 2007 provincial election campaign and the accumulated \$135 million expenditure was approved in the 2008 provincial budget; and

"Whereas so far only \$14 million has been released across Ontario, earmarked for children 14 to 17 years of age, and none assigned to helping seniors; and

"Whereas Peel region is spending \$1.9 million annually from regional funds to help cash-poor seniors in need of dental treatment; and

"Whereas Peel has a wait-list of 3,000 cash-poor seniors needing dental care and the wait-list is growing by 75 seniors a week; and

"Whereas Peel region has 16,000 low-income seniors, many of whom would benefit from dental care which they cannot now afford;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To release immediately the remaining portion of the \$135 million for dental care among low-income families and apportion the money so that Peel region receives a fair share according to population and need."

It is signed by, as I said, the good people of Mississauga and Peel region. I am in agreement and would affix my signature thereto.

### AIR QUALITY

**Mr. Charles Sousa:** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and determined that the Clarkson, Mississauga, airshed study area was taxed for respirable particulate matter (PM2.5); and

"Whereas the average annual PM2.5 concentrations measured in the Clarkson airshed were among the highest found when compared to data obtained from the ministry's air quality index monitoring stations; and ...

"Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and ...

"Whereas the MOE stated that industrial emissions may contribute as much as 25% of the PM2.5 concentrations in the Clarkson airshed study area; and

"Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

"Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact the Clarkson airshed study area."

I sign the petition and provide it to Megan.

### TAXATION

**Mrs. Joyce Savoline:** I have a petition to the Legislative Assembly of Ontario.

"Whereas residents in Burlington do not want the McGuinty 13% sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty 13% blended ... tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

It is signed by dozens of my constituents. I agree with this petition, and I will hand it to page Jacob.

### HOSPITAL FUNDING

**Mr. Jeff Leal:** I have a petition today for Seema Khan. She lives at 1357 Birchview Drive in Mississauga, Ontario.



"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing, despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could better be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients, and free up operating theatre space in hospitals for more complex procedures that may require post-operative, intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I agree with this, will affix my signature to it and give it to page Ava.

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#### TAXATION

**Ms. Sylvia Jones:** I have a petition to the Legislative Assembly of Ontario:

"Whereas residents in Dufferin-Caledon do not want a provincial harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition, and I'm pleased to affix my name to it and give it to page Megan.

#### AIR QUALITY

**Mr. Kevin Daniel Flynn:** To the Legislative Assembly of Ontario:

"Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and determined that the Clarkson, Mississauga, airshed study

area was taxed for respirable particulate matter (PM2.5); and

"Whereas the average annual PM2.5 concentrations measured in the Clarkson airshed were among the highest found when compared to data obtained from the ministry's air quality index monitoring stations; and

"Whereas the interim 24-hour ministry ambient air quality criterion for PM10 was exceeded on several occasions; and

"Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and

"Whereas concentrations of toluene, xylene, styrene, ethyl benzene, trichloroethene and acrolein were higher than those at the 12 Environment Canada national air pollution surveillance stations in Ontario, including those located in Toronto (4), Brampton, Windsor, Hamilton, Sarnia, Kingston, Ottawa, Kitchener and London; and

"Whereas annual average 24-hour nitrogen dioxide concentrations were found to be among the highest when compared to provincial air quality index stations in the greater Toronto and Hamilton areas; and

"Whereas the MOE stated that industrial emissions may contribute as much as 25% of the PM2.5 concentrations in the Clarkson airshed study area; and

"Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

"Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact east Oakville's environment and the Clarkson airshed study area."

I agree with this petition wholeheartedly and will sign it.

#### TAXATION

**Mr. John Yakabuski:** I have a petition to the Legislative Assembly of Ontario:

"Whereas residents in Renfrew-Nipissing-Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, hydro, heat, telephone, cable and Internet services for their homes, and will be applied to new home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and



"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition and sign it and pass it down with Alyssa.

## GOVERNMENT SERVICES

**Mr. Joe Dickson:** A petition to the Legislative Assembly of Ontario:

"Whereas current changes to ServiceOntario will expand and improve access to licensing, registration, health card renewal and other services, it will also close effective and service-oriented local businesses and cost us local jobs, such as the licence office that the Donald family has owned and operated in Whitby and Durham region for over 50 years; and

"Whereas we recognize the quality of service provided by the Donald family to be rated above the 100% efficiency level, including extended hours;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Donald family be maintained as a licence bureau of the highest quality in the region of Durham."

Attached to this petition is a number of high-profile correspondence of businesses who use volume throughout Durham region. I will sign my name to that and pass it on to Kaitlin.

## ORDERS OF THE DAY

### BARRIE-INNISFIL BOUNDARY ADJUSTMENT ACT, 2009

#### LOI DE 2009 SUR LA MODIFICATION DES LIMITES TERRITORIALES ENTRE BARRIE ET INNISFIL

Mr. Watson moved second reading of the following bill:

Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil/ Projet de loi 196, Loi concernant la modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil.

**The Deputy Speaker (Mr. Bruce Crozier):** Minister Watson, the floor is yours.

**Hon. Jim Watson:** I'm pleased today to stand in the House for the second reading of the proposed Barrie-Innisfil Boundary Adjustment Act. Our government introduced this bill to ensure the continued economic health and well-being of Simcoe county. By 2031, more than four million additional people will call Ontario

home. Many of those people will settle in central Ontario, and many of them in the Simcoe area, as a result of our forecasted 75,000 new jobs in that particular area of the province by the year 2031. It is imperative that we look beyond municipal boundaries and focus on what is best for regional economic growth.

Nous comprenons aussi qu'il faut s'adapter à cette croissance de façon responsable.

As well, planning for growth requires an overall vision and plan that contributes to a better quality of life. This includes responsibility for protecting the environment, and we have a strong track record of environmental responsibility and economic growth. This bill, if passed, would end a long-standing boundary and servicing impasse between the city of Barrie and the town of Innisfil.

For a number of years, the city of Barrie, the town of Innisfil and the county of Simcoe tried to negotiate an adjustment to the Barrie-Innisfil boundary. I know that my colleague the honourable member from Barrie and my colleague from Simcoe are well aware of the long history of not reaching a resolution on the Barrie-Innisfil boundary issue. Those negotiations included discussions among the municipalities through the Office of the Provincial Development Facilitator from 2006 to 2008. In February of 2008, the facilitator tabled a proposed solution. However, regrettably, no consensus could be reached. In my capacity as Minister of Municipal Affairs and Housing, we brought the two sides together and encouraged them to work for a local solution. Again, sadly, nothing was achieved, and the impasse continued. This bill, if passed, will resolve this impasse.

Just as important, this bill, if passed, would clear up a major roadblock to our major plan for growth called Simcoe Area: A Strategic Vision for Growth. Our strategy for the Simcoe area offers creative solutions to address key issues. Among them are: determining where and how to grow, identifying the critical infrastructure needed to support that growth, and identifying the most valuable things in need of protection.

Mr. Speaker, just on a point of order, with the consensus of the House, I regret that I forgot to mention that I'd like to share my time with the member from Barrie. Is that permitted at this stage?

**The Deputy Speaker (Mr. Bruce Crozier):** The fact that you've mentioned it, it will be done, if she is here.

**L'hon. Jim Watson:** Notre vision stratégique de la croissance dans la région de Simcoe nous aidera à coordonner la prise de décisions et d'établir les priorités des investissements dans l'infrastructure.

Our strategic vision for growth shows how the region should grow over the next 30 years. It identifies priority urban centres where new economic and population growth will be encouraged.

Efficient use of land is both an economic and environmental cornerstone of smart growth initiatives practised around the world. By making the best use of existing infrastructure, we can maximize the value of the public investments in infrastructure we've already made.



L'accent mis sur des centres-villes forts et le réaménagement des friches contaminées est conforme aux pratiques exemplaires en matière de développement économique urbain.

Our government is committed to building and supporting strong communities across Ontario and we've taken a number of actions to fulfill that commitment. For example, we made revisions to the Municipal Act, 2001, to provide communities with autonomy to make decisions that best suit their communities.

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We also recognized the burden of downloaded service costs that were being covered by municipal taxpayers—costs that I think even members opposite understand should never have been thrust upon the local municipal property taxpayer. I remember, when I had the honour of serving on municipal council, that the downloading that took place from the previous government really did debilitate the municipality's ability to grow and prosper, because so much tax burden was placed for social service costs and costs that should never be associated with property taxes back on the municipal property taxpayer.

That's why Premier McGuinty announced, in collaboration with the Association of Municipalities of Ontario and the city of Toronto, the Provincial-Municipal Fiscal and Service Delivery Review. With the uploads of Ontario Works costs currently paid by municipalities, the Ontario drug benefit, the Ontario disability support program and court security costs by 2018, savings will provide a total of \$1.5 billion net benefit to Ontario municipalities. Just think about that for a minute: \$1.5 billion lifted from the property taxpayers in places like Durham, Nepean and Ottawa back to the provincial government.

**The Deputy Speaker (Mr. Bruce Crozier):** On a point of order, the member from Durham.

**Mr. John O'Toole:** We're debating a bill on the Barrie-Innisfil boundary, and he's talking about something that happened 10 years ago. Stick to the topic. You've got your notes; just read them.

**The Deputy Speaker (Mr. Bruce Crozier):** Normally a point of order isn't directed to him, it's directed to me. And I'll be careful to listen very carefully. Minister.

**Hon. Jim Watson:** This is very relevant. I know it's very sensitive to the Conservative Party, because they were the downloaders.

Let me talk about Simcoe county in 2009, because the honourable member has an interest in Simcoe county. He should have an interest in Durham. I was there last week, and they were asking where their member was. But that's another point.

In 2009, the benefit of the social programs upload for the county of Simcoe totalled \$3.56 million and is projected to save \$53.5 million by 2018, when the uploads are complete. The people of Simcoe will benefit as a result of the Provincial-Municipal Fiscal and Service Delivery Review. The Municipal Act amendments and the review were built on the relationship the McGuinty government has established with Ontario's 444 municipalities.

Nous étions et nous restons déterminés à collaborer avec nos partenaires municipaux pour créer des collectivités robustes dans un Ontario fort.

In 2005, our government introduced the greenbelt, a 1.8-million-acre stretch of land across the Golden Horseshoe. We have protected environmentally sensitive areas and agricultural lands from urban sprawl, and we've improved the quality of life for millions of Ontarians. We're also helping to build stronger communities through the provincial policy statement, which promotes a comprehensive approach to planning and builds on the priorities of local communities.

Nous nous sommes efforcés, et nous continuerons d'enfoncer et de favoriser la durabilité des collectivités et la croissance partout dans la province de l'Ontario.

In keeping with our philosophy, our strategic vision for the Simcoe area would accomplish four major goals. First, it would curb urban sprawl and focus development into existing cities and towns that can accommodate new growth. We've identified five centres, called urban nodes, in the Simcoe area in which to focus employment growth. We plan to focus major office and institutional development in the primary urban node of Barrie. We will also encourage smaller-scale mixed-use developments serving the local population, including smaller office, commercial and institutional developments in other existing downtowns and Main Streets. This will strengthen town centres and create places with a good balance of jobs and homes.

The second goal is that our strategic vision would build on Simcoe area's diverse economic base to create new jobs. Nearly half of Simcoe's land base is agricultural, an industry that is vibrant and productive in the area. However, there are also resource-based industries, small and large manufacturing operations, research and creative industries and a strong service sector in Simcoe. We are protecting the employment areas for these industries and for future investments, and most importantly for future jobs for the people of Simcoe.

Third, our strategic vision would outline a vision for the city of Barrie as the area's largest urban centre. Under our plan, the city of Barrie must achieve a minimum intensification rate of 40% of new residential development each year in the built-up area, thereby discouraging sprawl. This is a plan that I think from an environmental point of view, from an economic point of view and from an urban planning point of view simply makes sense.

Further, with respect to the city of Barrie, it must achieve a minimum density of 150 residents and jobs combined per hectare in the urban growth centre, making even better use of current infrastructure, because the great thing about intensification—if it's done properly, if it's compatible—which I have always been supportive of, is that it cuts down on the municipality's costs and the county's costs; you don't have to duplicate and triplicate water plants, sewers and so on.

Barrie must achieve a minimum density of 50 residents and jobs per hectare in designated greenfield areas, discouraging inefficient use of these lands.



The fourth goal our strategic vision would achieve is protection of green spaces and agricultural areas and a cleaner Lake Simcoe, which I think members on all sides of the House supported—the Lake Simcoe Protection Act, if I'm not mistaken. Our plan would reduce development pressures on rural and agricultural lands, thereby protecting valuable natural heritage, farmland, sensitive watersheds and Lake Simcoe. The Lake Simcoe watershed contains significant natural urban and agricultural systems, including parts of the Oak Ridges moraine and the greenbelt. Its protection is critical.

On y trouve aussi des terres humides, des boisés et des zones agricoles à fort rendement d'importance provinciale, y compris des zones de culture spéciale comme le marais Holland.

We all know, admire, respect and love the Holland Marsh and the importance of the Holland Marsh—really the breadbasket of Ontario.

Ontarians have made it clear they support a comprehensive plan to protect and restore the ecological health of Lake Simcoe and its watershed. I commend my colleague the Minister of the Environment for bringing forward the Lake Simcoe Protection Act and for the work that is being done to ensure that that important body of water, from a recreational point of view, a tourism point of view, from a health and wellness point of view and from a sustainability point of view is protected for generations to come.

The strategic vision for growth in the Simcoe area—which is really a joint initiative with my colleague George Smitherman, the Minister of Energy and Infrastructure, who's working very closely with our ministry to ensure all parties understand their responsibilities within this process—is part of our plan to protect Lake Simcoe and its watershed. This vision, though, requires municipalities to include within their approved settlement area boundaries a sufficient supply of land to accommodate population employment growth for a maximum of 20 years. We've chosen 20 years because this time frame ensures sufficient land is available to meet growth needs while preventing the designation of excessive amounts of land and the associated urban sprawl. While there is more than enough land in approved settlement area boundaries to accommodate the next 20 years of growth, the land is not necessarily in the appropriate locations.

C'est que les anciennes désignations de l'utilisation du sol n'étaient pas assujetties aux critères rigoureux que nous utilisons aujourd'hui.

What's more, these land use designations in the past did not consider where future demand would be highest and where the development could be efficiently serviced. There is a need, therefore, to rationalize and align the land supply with demand in a manner that meets the requirements of the growth plan in the Simcoe area. We need to prioritize intensification and development to areas where access to employment, access to commercial services and access to public facilities already exist.

Nous devons nous assurer de progresser vers ces objectifs d'intensification et de densité avant de libérer des terres pour des nouveaux aménagements.

The proposed Barrie-Innisfil Boundary Adjustment Act, 2009, is a central component of our overall strategy for the Simcoe area. If passed, it would not only resolve a long-standing dispute but it would help set the stage for future growth and prosperity for a significant number of Ontarians. This bill is good for the Simcoe area and it is good for Ontario.

In a perfect world, we would love to have seen a local solution. I thank the honourable member who represents Innisfil, because we did have a number of conversations and we both agreed to the premise that local solutions are the best solutions. Unfortunately, after numerous attempts—and they were failed attempts—we could not get the two sides together, namely, the town of Innisfil and the city of Barrie. We attempted to bring in the county of Simcoe to help and the provincial facilitator. I personally met with all sides, brought them all together on at least two occasions and, sadly, we were not able to come up with what we often call that great Canadian compromise, where all sides were willing to put a little water with their wine and come up with a solution that everyone could live with. So that's the reason why we're here in second reading of the bill.

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Just in summary, before I hand it over to my colleague the Minister of Culture and minister responsible for seniors, I do want to remind members what the bill will accomplish. In essence, it would transfer 2,293 hectares from Innisfil to Barrie. It would accommodate Barrie, which is the designated urban employment growth node, land needs to 2031 and beyond. It would allow Barrie to work with Simcoe county to put strategies in place to create needed jobs for the residents of the entire Simcoe area. As we all know, when you live in an urban setting, you don't necessarily live in the urban setting; you could be living in Innisfil, working in Barrie, and vice versa. It would continue to provide a buffer to the community of Stroud in the town of Innisfil—the mayor of Innisfil was very insistent on this particular community being protected, and we have recognized that and put this in the legislation—and provide that the Innisfil Heights area, including the Georgian Downs racetrack, stays within Innisfil, for a number of reasons, including financial, obviously. The Georgian Downs racetrack is an important component of the financial well-being of the town of Innisfil.

I thank my colleagues for their attention on this particular piece of legislation, Bill 196. We think it is a balanced approach; it's not one side wins, the other side loses. Innisfil still retains its autonomy and its council. This is a boundary adjustment. In the global world we live in, I think the days of squabbling over a boundary between one municipality and another doesn't make any sense. We've got to be firing on all cylinders, particularly in the midst of a recession, to ensure that communities have the land, have the proper designations to actually go and attract the industries that are going to move to Simcoe, to Barrie, to Innisfil and create jobs.

The great thing, when you look at some of the great thinkers in urban planning, the ideal urban plan is where



you can live, work and play within the same community. That's exactly what we're trying to do to, to create an environment that is compatible with that kind of philosophy and stop the kind of urban sprawl that, quite frankly, was going to dominate the debate in Simcoe county for far too long. If you allow growth anywhere, in sort of a helter-skelter fashion, it's not good for anyone. It's certainly not good for the taxpayers of that community. That is why this particular bill, I believe, deserves the support of the House.

I cede the floor now, Mr. Speaker, to the Minister of Culture.

**The Deputy Speaker (Mr. Bruce Crozier):** The Minister of Culture and the Minister Responsible for Seniors.

**Hon. M. Aileen Carroll:** I thank my honourable colleague the Minister of Municipal Affairs for his well-informed and articulate explanation today of why the government is coming forward with this bill. As he has mentioned, the issue of Barrie's shortage of residential and industrial land that was needed to accommodate our rapid growth predates my time as a member of provincial Parliament, but it is an issue that I had made a priority to see resolved.

The proposed act will conclude the long-standing boundary question between the city of Barrie and the town of Innisfil. I might point out that this boundary solution that is proposed is the same one that the Office of the Provincial Development Facilitator suggested over a year ago, after spending many months examining a number of alternatives. Most of the lands that are involved in the proposed boundary adjustment are moratorium lands which had been set aside for agreement and for development back in the 1980s.

The proposed boundary adjustment would provide the city of Barrie, as has been mentioned, with 2,293 gross hectares of land, which will satisfy land needs until 2031 and beyond. The Ontario government recognizes that these type of land disputes and subsequent resolutions have a very direct impact on the lives of citizens.

In times of economic uncertainty, we need to focus our attention, as has been mentioned, on ways to attract jobs and opportunity. But an essential ingredient to accomplish this is by providing stability to a region that has been in turmoil over the boundary for far too long. Business needs predictability and business needs stability to plan investments, and those investments are what produce economic growth. So this proposed boundary adjustment is not just about the city of Barrie and its land needs; it's about a region and bringing new jobs to our city and our region. The forecast is for 73,000 new jobs in the area by 2031.

The Ontario government's growth plan for the Simcoe area has designated Barrie as a major urban growth centre in central Ontario. It is where major office and institutional development will be concentrated. Barrie will indeed be required to conform to the growth plan and the corresponding provincial policy statement, both of which are aimed at curbing sprawl. The growth plan

and the provincial policy statement focus growth on where it can be best accommodated, where the broad range of services is located and where future investments in infrastructure make the most sense.

The provincial growth plan, as I have said many times in discussion of this issue, does not assign growth to Barrie; growth is occurring in Barrie—rapidly occurring. Instead, it's about strategically planning for controlled growth in the city so that our children and our grandchildren have an even better place to live and work and learn and play.

The city of Barrie has been very diligent with regard to meeting its density targets. In the past, Barrie has refused to approve plans by developers until more density was included. Two examples that come to mind are the townhouse development at Harvie/Essa/Ferndale and another near the GO station at Mapleview East. In both cases, the city told the developers to increase the density in their projects. This promises the designation of downtown Barrie as an urban growth centre and focuses even higher-density targets and therefore more jobs in the downtown area of the city. This makes good use of existing infrastructure.

City officials in Barrie have already said they plan to intensify density downtown and along major arterial routes. Barrie has an aggressive \$220-million infrastructure renewal plan in place to repair roads and sewers and water systems. The infrastructure program is creating approximately 1,100 jobs in construction and an estimated 1,100 indirect jobs. The city of Barrie is committed to looking after its existing infrastructure and is looking to see it used more productively.

Indeed, the best use of local infrastructure is why the proposed boundary solution includes the land south of Barrie. Starting in 2004, the province, Simcoe county, Innisfil and Barrie jointly undertook comprehensive studies that looked at the local watershed, at the infrastructure needs in the area and at how local governments can manage growth pressures. That plan, which was called IGAP, the intergovernmental action plan, recommended that Barrie indeed expand to the south. The IGAP study verified that Lake Simcoe and its tributaries could handle that growth better than the Nottawasaga River valley, which is already stressed by settlements.

The neighbouring town of Innisfil is a viable community. Through the proposed boundary adjustment act, we are working to support its future prosperity. The proposed boundary adjustment directs growth and intensification to the urban growth centre, and it clears the way for possible employment lands in Innisfil near Highway 400. These potential employment lands can help bring jobs and new assessment dollars to Innisfil.

In closing, the proposed boundary adjustment is in the best interests of the residents of Simcoe county, the town of Innisfil and the city of Barrie. It is also in the best interests of the watersheds in the Simcoe area. We need the stability that this act will bring to our region. It will have been a long time coming, and that is why I encourage members of the House to support this bill.



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**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mrs. Julia Munro:** I will have an opportunity later to make further remarks, but I just want to put on the record the fact that the minister has referred to the 2,293 hectares of land that are to be turned over to the city of Barrie and at the same time talks about how this is going to prevent sprawl. Much of the comments that he made this afternoon were with regard to the question of sprawl. I, of course, think of those almost 2,300 hectares, which to me represent exactly the opportunity for further sprawl. So there seems to be a bit of a problem here with the fact that after they've absorbed the 2,300 hectares of raw land, then there won't be sprawl, although the member for Barrie also referred to the fact that this would take them to 2031 and then they might need more land. So I think there's a bit of a problem herein: whose definition of sprawl we're talking about. Because certainly, to those people who live in the area to be turned over to the city of Barrie by this bill, it looks like urban sprawl.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Michael Prue:** I listened intently because this is an opportunity to listen to not one but two ministers speak on what I think is a very contentious topic. I listened intently to what they had to say. The Minister of Municipal Affairs and Housing talked about uploading, some vague references to the Harris government, some talk about Places to Grow and the environment. The Minister of Culture talked at great length about how it was going to help the city of Barrie and, as an afterthought right towards the end of her speech, talked about Innisfil. But I think that neither one of them has talked about the key issue, and the key issue to my mind has to be, how did this government make this determination to take from one town 2,300 hectares of land and holus bolus give it to an adjoining city? It is like somebody coming along and coveting your house and just one day saying, "I have growth needs. My family is larger. I'm going to take over your house. Too bad, so sad." This is what has not been explained.

I have no doubt that the good people of Innisfil are angry. I have no doubt that people in the surrounding community wonder what the rush is about. I have no doubt that they're wondering what is going to be built on prime agricultural land other than more homes and factories and commercial development, the extension of sprawl as Barrie heads south. None of these questions were answered by my colleagues from across. Neither minister put their mind to that. In my leadoff speech I will be, I hope, talking about some of those things. But I would implore these two ministers to have this bill go to committee. I think the good people of Innisfil need to be called upon, the people of Barrie need to be called upon, the environmentalists need to be called upon, the people who are trying to save Lake Simcoe—all have something very important to say about this decision that encourages sprawl.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Lou Rinaldi:** It is a pleasure to stand here today to spend a couple of minutes commenting on the minister's debate. I must say that I think the minister highlighted quite well the attempts that we have made, or I should say the ministry has made, to bring the two parties to the table, over and over again. Sometimes we're called upon to make those tough decisions, and when they hear our rationale—the ministry brought experts in and they made some recommendations. Basically, we're following the recommendations. It's not that the minister woke up in the middle of the night and said, "These are what the boundaries should be."

I must tell you that in my riding I have two municipalities—well, four municipalities, I guess—that accomplished boundary realignment. One is the city of Quinte West with the city of Belleville, which is Minister Dombrowsky's office. There was some discussion. I mean, it was obvious: One municipality had no services in part of that municipality, yet the abutting municipality, which was Belleville, had commercial and residential development right to the boundary line. It just made so much sense not to duplicate the cost to provide services to that piece of land that now belongs to the city of Belleville.

In Cobourg and Hamilton township a few years back, south of the 401—Hamilton township is predominantly north of 401. Cobourg needed some expansion. They made some agreements and also some agreements on shared services.

I think we've tried all that. It's time we need to move on. I think, as we debate in this House, we'll make sure we'll get it as right as we can.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Peter Kormos:** In short order we're going to be hearing from Michael Prue, the critic for the New Democratic Party caucus, and I know that he has a very complete and sophisticated analysis of this issue. I think that folks watching—and there are folks watching—are going to be very interested in what he and the New Democrats have to say.

This is a most unpleasant way to, as the government would put it, resolve an impasse. Darn right the impasse is resolved, because you come in with the big guns and the big hammer and you just club it to death.

So, like Mr. Prue, I'm very interested in what folks say at committee hearings. I suspect there could be some real polarization. There are going to be fans of the proposal—more likely than not, people living in Barrie. There are going to be some opponents to the proposal—more likely than not, people living in that beautiful rural area. I suspect also they're going to hear things about the environment, hear things about sprawl, hear things about big government using a heavy fist to simply end an impasse rather than help resolve a problem. One would hope that the communities here would be encouraged to spend yet more time at the table so that it truly could be a



made-in-Innisfil-and-Barrie solution, rather than one made down here at Queen's Park in Toronto.

One of the problems with Queen's Park is that the folks think that as soon as you get north of Eglinton, you're somehow in another world. This institution is so Toronto-centred and so fixated on big-city solutions. It just doesn't understand the culture of rural Ontario and small-town Ontario, and I don't think this bill is going to help at all.

**The Deputy Speaker (Mr. Bruce Crozier):** Response? The Minister of Municipal Affairs and Housing, you have up to two minutes to respond.

**Hon. Jim Watson:** I'd like to thank the members for their comments.

Just to clarify a couple of points, one member asked, "Why the rush?" This has been going on since 1981: almost 30 years of bickering back and forth. The time to act is now because there was clearly a polarized position between Innisfil and Barrie. Simcoe was not able to resolve it; the province was not able to resolve it. We actually brought in the provincial facilitator to help, and he was not able to resolve it.

Where did the boundaries come from? It was as a result of the work that the provincial facilitator did with Innisfil and Barrie. There was signoff by Barrie on the proposal by the facilitator, but at the end of the day Innisfil did not support it.

This is all about smart growth. We talk a lot about smart growth, but often some municipalities and some counties don't practise smart growth. If we simply allowed the county to allow development wherever the lower-tier municipalities wanted to, that would not be smart growth. Maybe it might be smart politics to appease the lower-tier municipalities, but it would be costly to both the taxpayers and to the environment. So this was about coming up with a compromise position based on the provincial facilitator, who has done much more work on this file than anyone in this Legislature and who has more expertise on it, and we accepted the recommendations of the provincial facilitator.

So this bill has not been rushed. In fact, if anything, previous governments should have dealt with this sooner. We're taking a leadership role. We're moving on it after 30 years. Enough is enough. Let's get back to economic development, smart growth, good planning and creating the jobs of tomorrow for the people of Barrie, Innisfil and all of Simcoe county.

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**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Michael Prue:** I understand that there is all-party consent to allow me to precede my colleague from York-Simcoe in this debate.

**The Deputy Speaker (Mr. Bruce Crozier):** You were the next one to stand up in rotation.

**Mr. Michael Prue:** Well, I want to be very clear, Mr. Speaker—

**The Deputy Speaker (Mr. Bruce Crozier):** There may be that agreement; I'm just saying that you don't need it. You were the next one to stand.

**Mr. Michael Prue:** But I understand that she will go next in the rotation if it is done this way. She has accommodated me—

**The Deputy Speaker (Mr. Bruce Crozier):** Okay. I'm not part of the agreement, but can anybody—

**Interjection:** Agreed.

**The Deputy Speaker (Mr. Bruce Crozier):** It's agreed. There we go.

**Mr. Michael Prue:** Thank you very much. And I'd like to thank my colleague from York-Simcoe for being so very generous to accommodate my need to be out of the Legislature in short order at around 5:30.

I'm here to talk about this bill in a number of aspects. I want to first of all talk about this bill and how it is likely to affect the town of Innisfil. I do not represent that riding. In fact, my friend from York-Simcoe represents that riding, but I'm very familiar with it and what is likely to happen. As the Minister of Municipal Affairs and Housing knows only too well as a former mayor of Ottawa, as I am a former mayor of the borough of East York, what is now part of Toronto, the province can deal with a very heavy hand upon municipalities whenever it chooses to do so, and the municipality at the receiving end of what cannot be called government largesse is the one that often suffers.

I can see in the handprints all over this what is happening to Innisfil. I can see a small town in Ontario being crushed by a medium-sized city and the might of the Ontario government. It was only a few months ago when a former member of this Legislature and a minister said that the Ontario government was in the business of picking winners and losers. Well, I think that the government has picked a winner and a loser in this whole debate. The winner, without a shadow of a doubt, is the city of Barrie, because the city of Barrie has got exactly what it has been requesting for many years. They signed off on the agreement in advance and that is exactly what is being delivered here today. The town of Innisfil, which did not agree with the process and did not agree with what they were going to be given, has been given not one iota of change from the agreement that they refused to sign and that they disagreed with the entire time.

What has been lost here to the town of Innisfil is 2,300 prime agricultural hectares. But more than that, what has been lost to them is that they are going to get absolutely nothing in return for the loss of this valuable land. They have lost tax revenue and potential tax revenue: Innisfil will lose over \$80 million in tax assessment as a result of this bill. This is not a large municipality like Toronto or Ottawa or Mississauga, which could take \$80 million and, although they would not be happy, could probably swallow it. It is Innisfil, small-town Ontario, that is losing \$80 million in tax assessment. It makes up, in total, 2.5% of their current assessment base—gone—and Innisfil should be compensated. I have read through this entire bill and there is not a word of compensation to Innisfil. That means for Innisfil to make this up, they are going to have to immediately raise taxes for the existing and remaining properties by 2.5% if they are to keep services going.



*Interjection.*

**Mr. Michael Prue:** My friend here from small-town Ontario is talking about, "What about the services they don't have to deliver?" Perhaps if he had done some research, he would have known that many of the hard services have already been built—and I'll get to those in a minute—because they have built sewers and trunk lines, they have built roads, they have built connections, and they have plans too.

You also to have look at the fiscal impact on this servicing ability, because there is the whole question of the debt, and the debt that Innisfil was about to encumber upon itself in order to service it. They were going to debenture it and it has not yet been amortized for the debt, but there is nothing in the bill that requires Barrie to pay it. They're going to take it over, but this is going to cost Innisfil some money. Innisfil should be compensated by the province or by the city of Barrie for the annual revenue loss, and it approximates about \$30,000 a year; that's just on the debt that's been encumbered to date. There's nothing in the bill that says that.

The future growth potential and the capital costs: There will certainly be future development on the annexed lands once the transfer to Barrie—it's not being transferred to Barrie so that it can be farmland. Let's be real here. This is not why it's being transferred to Barrie. It's not about who controls 2,300 acres of farmland; it's about who controls the future of subdivisions, of commercial and industrial buildings and workplaces along the 400 corridor. It is going to be transformed from farmland that pays a modicum of taxation to industrial, commercial and residential, which pays a lot more, and this is a complete loss to the town of Innisfil.

Developers are counting on this to be developed; they're counting on it. You can read the handprints all over this. It is the developers who can work very easily with the city of Barrie who are looking at this and thinking, "How can we develop 2,300 hectares of land?" And you know that there are plans afoot, you know that the province has plans afoot and you know that people are planning what can go in there along this corridor. How many homes can be built, how many factories can be built and how many commercial enterprises can be built? And Barrie knows it too, because that's why they want the land. They don't want it because it's farmland. They don't want to leave it as farmland. They know the development potential and they want to use it.

This will require Innisfil and the county to maintain and improve everything they've done around it. Innisfil and the county have already built roads—as my friend didn't want to wait for me to say—they have built county roads; they have built municipal roads; they have built structure into and around these lands in anticipation that one day they would be able to do something with them. They are not going to be compensated. In fact, they are going to have to maintain all these roads as they enter into the new city of Barrie. All the lead-in roads are from Innisfil, and these lead-in roads and these lead-in connections, whether they be above or below the ground,

are funded by the people of Innisfil for use by the people of Barrie.

There are even a couple of conundrums here. One of them is that one of the housing developments that is now going to be inside the city of Barrie has its water supply in the town of Innisfil, which is going to have to continue to provide water. At whose cost? There's no compensation. There's nothing in the minister's statement or in the bill that the town of Innisfil is in any way going to be compensated for this.

There's the whole future growth-related capital costs. There will certainly be future development on these lands, as I have said. The Barrie residents on these lands will use Innisfil and county roads, as I have said. There's a significant future cost to Innisfil, as I have said, and we think that Innisfil should be compensated. Barrie could and should be required to implement a special development charge for doing exactly what they've done. This has been done in other municipalities that have provincial largesse pushed upon them. They have been forced to compensate the municipality which has lost land, services and monies. I'll give some examples of those in a minute.

The town of Innisfil estimates that there will be a loss to themselves of nearly \$50 million more in assessment for the town of Innisfil once this all plays out. The county of Simcoe will suffer similar devastating losses by the removal of these lands from Simcoe county and should also be compensated. There is not one word in the bill that is going to do that. In fact, there is not a commitment from this government, in spite of the fact that there are numerous precedents for compensation in other parts of Ontario. I'd just like to cite three of them.

The first one is the lands transferred from the town of Tecumseh and the county of Essex to the city of Windsor in 2003. There was compensation there. Tecumseh was given compensation by the city of Windsor for the lands that were transferred. The second one is the lands transferred from the township of Rideau Lakes and the united counties of Leeds and Grenville to the town of Smiths Falls in 2004. There's nothing being compensated here. And the third one is the lands transferred from the township of Blandford-Blenheim to the city of Woodstock in 2005—and again, absolutely nothing.

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What I am asking is for the minister, in committee, by word in this House or however he has to do it, to provide for compensation for the residents of Innisfil in the same way it did for the residents of Woodstock, Smiths Falls and Windsor, or in the alternative, I suppose, withdraw the bill.

I'll go on to talk about other minor amendments. I have already referred in part to the difficulty in the way the map has been drawn and the land that has been transferred to Barrie. The act divides local and county roads and intersections in half, making it difficult to manage the roads system. In one case, the description separates a subdivision in Innisfil, called Doral Business Park, from the stormwater management pond that serves that



subdivision. The pond that serves the subdivision will be located in Barrie; the subdivision itself will remain in Innisfil. In another case, it puts the county forest now located in Innisfil into Barrie.

I'm not understanding what plan the government has for this. I'm not understanding what consultation took place or how it fits with smart growth. Perhaps the minister can elucidate this. I think this Barrie annexation—I don't want to be melodramatic—is a betrayal in the long list of McGuinty government reversals and secret deals in Simcoe county, all to the benefit of those who stand to make huge and handsome profits as a result. This government is kidding itself when it thinks that the public was consulted fairly about this act or the Simcoe growth plan or the Lake Simcoe protection plan. There are tens of millions of dollars of development-driven lawsuits outstanding against critics of development in Simcoe county, a situation this government not only seems to favour, but has allowed to grow far beyond anything during the Harris years.

At one level, the bill before us seeks to resolve an ongoing dispute over a transfer of land from Innisfil to Barrie. The bill will transfer those lands as the minister has set out, and on the surface how can anyone say it's a bad thing? The city of Barrie has shown that it has some commitment to smart growth and some commitment to the environment. But the bill also allows the development of 2,300 hectares of land and the lifting of the development moratorium on the land. These are farmlands. This is the greenbelt. This is some of the best agricultural land not only in Ontario but in the world, and it is going to end up being condominiums and towers and homes. That's what is going to happen to it. What has happened to the government's talk about sprawl? If there is not sprawl here, I don't know what constitutes sprawl. Until now, this has been duly designated for agriculture and resource extraction only. Now it will be rezoned for employment and residential. The minister has been a little bit silent on that.

The Minister of Municipal Affairs and Housing assures us that should the bill pass and the transfer of land go ahead, the land will be developed in a sustainable way. I want to quote him. He said during first reading that this bill "is a key part of the Ontario government's support for sustainable and managed growth in the Lake Simcoe area.... Resolving the long-standing Barrie-Innisfil boundary dispute would help us address the growth planning and environmental protection issues in the area."

I have no doubt that it will promote growth. The whole intention of this bill is to allow Barrie to run holus-bolus over what was agricultural land and grow it in a way that will increase sprawl exponentially. But where is the evidence that this bill will protect the environment? Will it be developed in a way that sustains the ecological integrity of the already-vulnerable Lake Simcoe watershed and its water quality and water habitats? I didn't hear the minister talk about that, and I don't see anything in the bill. It will increase smog as people commute to

and from Toronto and Barrie to attend these employment growth areas. It will hinder the development of a vibrant community that is growing in Innisfil and in Barrie today. It will threaten the watersheds, and it will definitely eat up valuable farmland and green space.

The Places to Grow Act was supposed to encourage smart growth: revitalized downtowns, public transportation options, healthy communities and the curbing of urban sprawl. This isn't doing something for downtown Barrie. This isn't putting in smart bus lanes or transportation or allowing the buildings to go up rather than go out. This is extending the city and a whole bunch of residential and commercial construction to the south of it. This is wanton growth.

We trust the McGuinty government's assurances that it will ensure that these 2,300 hectares will be developed in a way that protects the already vulnerable Simcoe watershed. There are a number of reasons I have to hesitate before giving the government a blank cheque to go ahead with the transfer and development of the boundary lands.

First, reputable environmental associations and the Lake Simcoe Region Conservation Authority indicate that if the annexed lands are developed according to current practices, about 60% of Lovers Creek and Hewitts Creek will be paved over—far more than what Environment Canada allows at 10%. This will be paving over streams and rivers and rivulets in what is currently the town of Innisfil.

According to the Lake Simcoe Region Conservation Authority, this will increase phosphorus levels in Kempenfelt Bay of Lake Simcoe. That will be a result. Kempenfelt Bay has been identified by MNR, another ministry of this government, as the most significant nursery zone in the lake which would allow for a self-sustaining cold water fishery. The minister may not be a fisherman like I am, but a cold water fishery would more than likely involve walleye, lake trout and whitefish. In fact, the spawning grounds of these three species are located in Kempenfelt Bay. If you increase the water levels and if you increase the temperatures, you may put these species at risk, and nothing has been talked about in this bill. Increased phosphorus levels and decreased oxygen levels will threaten the survival of juvenile trout and whitefish for sure, and the entire viability of the whole Lake Simcoe fishery.

Now, the Lake Simcoe Region Conservation Authority recommends that "The proposed boundary adjustment contained in Bill 196 only be considered after"—they use the word "after," and I underline that—"it can be demonstrated that such growth is environmentally sustainable and does not further negatively affect the impact on the health and quality of Lake Simcoe and its watershed."

I think this government has failed to demonstrate that the proposed development of the boundary lands will be benign in its impact on the environment. In fact, the government is pushing through Bill 196 and allowing development to proceed on the annexed lands before key



studies on the impacts of development of the land have been conducted.

Just to name a few that are under way and that are supposed to come out in the short period of time where the government precipitously felt that it had to rush this through—and I say rushed through in spite of the fact that there has been an ongoing dispute for nearly 30 years. The conservation authority and the Save Lake Simcoe campaign indicate that a range of studies need to be done to assess the impact of future growth, and I list some of them: an assimilative capacity study to assess impacts on water quality, which is due at the end of this year; a study to assess the impact of stream temperature associated with the boundary change and associated growth; an evaluation of the impacts on water quality, quantity and erosion.

The conservation authority concludes that “It is extremely important that the appropriate studies and strategies be completed prior to the approval of Bill 196 to ensure that the proposed growth contained within the boundary adjustment is environmentally sustainable for Lake Simcoe and the watershed.”

We all remember that a couple of years ago there was a wonderful group called the Ladies of the Lake. They came here to the Legislature; I believe it was in the last Parliament. They had a calendar of themselves in various poses around Lake Simcoe. They were raising funds to try to save the great lake that is the home and party place, with summer cottages, summer campgrounds and swimming holes, for people right across the GTA. They came here and begged us to do everything we could to save that lake.

I'm simply asking the minister to do the same thing. I'm asking the minister to delay this action until we know what the impact of having thousands or tens of thousands of new homes and factories and commercial establishments on this land will be on Lake Simcoe. If we allow that lake to die, if we allow it to become polluted or unproductive, if we allow the fish that have swum there for millennia to suddenly die off, then I don't think that this annexation by Barrie will be seen to be a good thing.

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The assimilation study of phosphorus impacts is another one: It's not due until the end of the year. A sub-watershed study is not due until after that. I ask again, why is the McGuinty government rushing forward with a bill that allows further development when it doesn't even know the full development and the full impact that that growth is going to have on Lake Simcoe and its surrounding tributaries? It is unwise and rash to push forward a bill that opens up more land for development when we don't know whether the watershed can support that development.

It's not just Barrie getting the land; it's what is going to be done with that land. We know it's being transferred so it can be developed in a way that the government approves, I suppose.

Moreover, if the McGuinty government is so committed to protecting the watershed, why is there nothing

in this bill requiring developers to meet the highest possible green building standards, in terms of building standards and water protection? We already know it's going to be developed, but there's nothing in here that will require them, upon the transfer of the land, to use those high standards.

There's nothing in here about whether it's going to be energy-self-sustaining or energy-dependent. What proposals are there in the bill to maximize the use of solar panels and solar, thermal or geothermal heating? Will storm water and sewage be dumped into the lake or will existing technologies be required to dramatically reduce the amount of water taken from and dumped into Lake Simcoe? Will these developments be built using green gravel—that is, gravel taken out as the land is being developed—or will it be trucked all the way from Niagara, as it has been in the past?

If the McGuinty government is so committed to the ecological integrity of Lake Simcoe, why did it negotiate a secret deal committing the government to supporting the unprecedented 1,000-slip mega-marina at Big Bay Point? I know that went to the Ontario Municipal Board. I also know that the people who went there were slapped with a SLAPP suit. They were threatened with millions of dollars in costs by the developers for trying to stand up for the lake and for the environment. They have become too afraid to speak out.

We have the luxury in this House of being able to speak out without fear of lawsuit. We have the luxury of standing up here and saying things that others only wish they could but don't because of the developers' big pockets and their lawyers and planners and everything else.

The McGuinty government has done nothing in response, preferring to allow the silencing of critics of development over the troublesomeness of free speech and democracy.

I ask, if the McGuinty government is so committed to containing urban sprawl and protecting prime farmland in southern Ontario, why did its political staff intervene in the form of not one, not two but three extraordinary ministerial zoning orders, overriding its Places to Grow plan, that allow big developers to pave over 1,800 acres along the Highway 400 corridor in Bradford West Gwillimbury? Where is the staff report justifying this extraordinary backroom deal that disregards Places to Grow?

How are Ontarians to trust a government that makes high-and-mighty statements about protecting land and ecosystems when it cuts secret deals with developers behind closed doors? How are Ontarians to trust this minister, and this Premier, who campaigned in 2003 against the Conservative government's secret zoning order to pave over Richmond Hill and then six years later does exactly the same thing in Bradford and is now proposing, I guess, to do the same thing here?

The 2003 Liberal platform, Growing Strong Communities, condemned the Eves government for its secretly approved plan to build 6,600 new homes on one



of the most sensitive spots on the moraine in Richmond Hill. The then incoming Premier promised a higher standard of ethics and accountability, and now we have a secret deal where the minister stands up one day and simply imposes his will upon the people of that area.

How do the Premier and this minister justify secretly cutting a deal with developers and reversing the opposition to paving prime agricultural land in Bradford West Gwillimbury? Back to them.

Why do we find the Liberal backroom boy Gordon Ashworth giving advice to the Geranium Corp., the developer that has managed to negotiate not one, but two secret deals with the Premier in this very area?

Let me quote from the Toronto Star, that newspaper that almost always supports the Liberals, in its editorial. They had this to say back on December 5, 2007: "The government has already signed off on one of the most controversial Simcoe county developments, a 1,600-unit time-share project on Lake Simcoe's Big Bay Point. Local ratepayers and environmentalists took the project to the Ontario Municipal Board and a decision is pending.

"Geranium Corp., the developer behind the Big Bay Point project"—and, I might add, the Bradford employment lands deal as well—"has signed up prominent Liberals to help make its case.

"One of them is Gordon Ashworth, a former senior aide to Premier David Peterson back in the 1980s and a key strategist in the current Liberal government's re-election campaign this fall.

"Ashworth denies lobbying for Geranium. 'I provide them with communications advice,' he says."

Why are there no staff reports? How can one trust a government that justifies a secret deal to allow development along the 400 to ostensibly keep a company from moving out of Ontario when the company itself, Toromont Industries, said it was never leaving? "Our company, Toromont Industries Ltd., has no intention of moving 2,500 jobs from Ontario. We have never threatened to do so or set conditions for the province to meet to avoid this non-existent threat." That again from the Toronto Star, March 18, 2009. This is the kind of record that this minister is asking us to just buy holus-bolus, without explanation.

Again and again, this government has failed to abide by and enforce the Places to Grow Act. You know, it's true that there was pretty much all-party agreement. We thought something good was going to happen with this act. But instead, we see backroom deals; we see a bill like this, with no explanation, coming forward, as mentioned, by secretly negotiating the minister's zoning orders to allow 1,800 acres of urban sprawl on prime farmland in Bradford West Gwillimbury, land that drains into the Holland Marsh; by allowing Innisfil council to convert almost 1,000 acres of rural and agricultural land into residential development—which is done; by allowing the 10-fold expansion of the hamlet of Bond Head from 500 residents to 4,500 residents; and by failing to address population growth issues in the Lake

Simcoe protection plan—all of these have been done. But the bigger issue to me is how the development of this land and other valuable green space and agricultural land in southern Ontario will proceed. And that, this minister has not talked about. He has not said anything about it.

Well, I think the time for rampant, Wild West development has passed. It is not at all clear that this bill will lead to smarter planning, and given that studies are still outstanding, the environmental impacts of this bill on Lake Simcoe and its watershed are also very unclear. There's supposed to be a discussion paper in tandem with this bill on the vision for growth in Simcoe county, but it bears repeating: Releasing the growth strategy for comment at the same time that the government appeared at the OMB to support the Bradford bypass and more sprawl is ridiculous.

Let me quote Campaign Lake Simcoe's response last month to the government's Simcoe-area vision for growth. It's a rather long quote, but it's a good one:

"Campaign Lake Simcoe, which has advocated for the protection of the Lake Simcoe watershed since 2005, is shocked that this government has put forth for consultation such a dismal 'vision' for an area of such great ecological, agricultural, recreational value.

"This 'consultation' is also one of the worst examples of a 'sprawl first, consult later' exercise we've ever seen. Although comments are due September 2, 2009, on this growth strategy, in early August the OMB approved a nearly 750-hectare employment area in Simcoe county, just north of the greenbelt, in the Bradford West Gwillimbury ... Highway 400 corridor. The OMB hearing was conducted in June 2009 and only after the McGuinty government reversed its opposition to the development by suddenly and without notice agreeing in April 2009 to issue three extraordinary 'minister's zoning orders' ... to ensure approval.

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"The development so clearly contradicts the growth strategy that the OMB chair's decision is conditional on the delivery of the rare and controversial" minister's zoning orders. "We agree with the Toronto Star's June 12, 2009, editorial: 'The province could have—and should have—held off on signing any deal regarding development on the [BWG] Highway 400 corridor until the full Simcoe plan had been subjected to public consultation.'"

We agree, too.

The minister talked at the beginning—and this is why I said some of this—about how this has been outstanding for 30 years. If it has been outstanding for 30 years and nothing much is happening, what is the rush? We have at least six environmental plans that are coming forward for publication later this year. We have people who have not been consulted. We have a municipality, Innisfil, which is seeing a potential huge assessment loss, a huge loss to the growth plans that it had for itself. We have a city, Barrie, that has not stated publicly what they want to do with these lands. And yet we have a rush. Is there a special deal? What can we expect to happen? The same



thing that we've seen in other places? Is there a developer in the wings who wants to build this? Is there something of that magnitude that we don't know about?

The minister is asking us to support this bill. I would consider supporting the bill, but I want to hear a whole lot of answers to questions that not only I have but that the people in Innisfil, the people in Barrie, the people who are concerned about the environment, the people who slave daily and weekly to try to protect Lake Simcoe, have. They have stronger questions perhaps even than I do.

Strong government action is needed to shift development practices in southern Ontario in a direction conducive to environmental protection and healthy communities. It is not contained within the body of this bill. Better enforcing the principles of the Places to Grow Act would be a good place to start. Protecting citizens from developer lawsuits and stopping backroom land development deals with friends of this government would be another welcome change.

But most of all, I ask the minister to try to sit down again with the good people of Innisfil. This is a community that has been there since Confederation. This is a community that has owned this land and has been clearly marked off by surveyors since the time of Confederation. I don't know how Barrie thinks that they are suddenly entitled to it. If it makes good planning sense, make that good sense—because we have not seen any of that here to date.

**Mr. John Yakabuski:** Make the case.

**Mr. Michael Prue:** Make the case if it has to be taken away.

I said in my opportunity with the two-minute comment that it is like having a house next door and your family has grown too large and you covet that house and you take that house because you need it for your family, your children, or for whatever reason. You need it, therefore you want it. You want to grow and therefore it's yours. But the people who had ownership of that land, the town of Innisfil, should have something to say. If it is going to be taken from them, then they should be compensated. Heaven knows that when this government or any government seeks to expropriate land for good community purpose, there is compensation for that land. The town of Innisfil deserves to be compensated at the very least, and until such compensation is forthcoming, I do not believe that we on this side of the House can support this bill.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? The member for Huron-Bruce.

**Mrs. Carol Mitchell:** I do appreciate the opportunity to enter into the debate on Bill 196. I just want to make the members aware that I will be supporting Bill 196. The comment that I wanted to bring forward is that this has been an outstanding issue for 30 years. We stand in this House and we talk about finding balance. I believe a balance has been struck. One of the things that we also talk about is the economy, jobs, what we can do in ensuring that our communities remain strong. I see this as a path going forward for the people, so that they know

what the future will hold for them. It also will give the opportunity for them to speak specifically to this bill, as there will be committee hearings held. The people who have concerns will have the opportunity to either have a written submission or make a presentation which all parties will hear at that time.

But there comes a time when it's just important to move forward. We have to take so many things into consideration, but at the end of the day we want to ensure that our communities are sustainable for the people, the services that they provide, and that they have adequate growth contained within their communities to allow for future strength. I see this as a reasonable adjustment coming forward.

There's been no boundary adjustment that is not without its difficulties, but after 30 years I do believe that what the people want to hear is closure and moving forward and what they can expect of their government going forward. This is what we see represented today, and that's why, Mr. Speaker, I will be supporting Bill 196. Thank you for allowing me the opportunity.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John O'Toole:** I rushed back here because I knew the member from Beaches-East York was speaking and he is passionate about this issue, having been the last serving mayor of Beaches-East York at the municipal level of government.

**Mr. John Yakabuski:** East York.

**Mr. John O'Toole:** East York, actually; you're right.

I've heard people say everything from, "This is a hostile takeover," to "This is something that should have been done years ago." I think the issue here is this. When I met earlier this year in my role as critic with councillors from Barrie, they were very anxious about getting a solution here. I'm hoping that the minister has taken the time to find that perfect balance, and if not, that they are going to compensate them appropriately.

**Hon. Jim Watson:** Joe Tascona is with us.

**Mr. John O'Toole:** Well, I would say to the member from York-Simcoe, I'm waiting for her comments on the record as well as the others members, from Simcoe-Grey and Simcoe North, of course, who are all focused on this issue and want the whole bottom line to be a fairness decision.

I would think that there are many comments that have been true. This has been discussed for a long, long time, and there's no annexation or other thing that's been without its pitfalls, but the ministry can step up. He spoke earlier in his remarks, saying that these transfer payments would benefit Innisfil; it's my understanding that he said that in his remarks. And I would hope that the town of Barrie, which is one of fastest-growing parts of the province, indeed the country—it really does need support. This is just the start, I hope, of providing serviced infrastructure and other supports for these communities to raise the appropriate level of taxation to allow for them to be healthy communities. But I'll be paying very close attention to this bill.



I once again want to reflect on the member from Beaches–East York, because he is a municipal politician in his background whom I have a great deal of respect for.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Peter Kormos:** It's just as I anticipated. Mr. Prue delivers a comprehensive and very capable analysis of this legislation, and he raises some very disturbing things. For the life of me, I recall Liberals, when there was forced amalgamation going on here in the city of Toronto, collaborating with the New Democrats and resisting that. They felt that it was entirely inappropriate, unfair and unjust to force amalgamation on the communities of Toronto. Now you've got a government that talks a big game about rural Ontario, that talks a big game about preserving agricultural lands with its greenbelt and doesn't demonstrate the political fortitude to in fact make it happen.

Mr. Prue and others, Ms. Munro, I'm sure, will make reference to the fact this is some of the most significant and valuable farmland in Ontario, if not Canada, and here we're allowing it to be paved over. How does that preserve the increasingly scarce farmland? The people of Innisfil will never forgive this government for doing this—never—and they shouldn't. There are ways of addressing these issues, by sitting at a table and hammering things out so that you're fair to everybody involved.

Mr. Prue comments on the absence of any compensation, any whatsoever. This isn't even an expropriation because, if it were an expropriation, you're entitled to fair compensation. This is a land grab, I suppose, that equals the Liberals' tax grab in its arrogance. This bill should be no more supported than the government's HST.

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**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Pat Hoy:** I am pleased to rise and make some comments on Bill 196, the boundary adjustment act. I've seen the debate thus far, and that seems to be exactly what it is. It's a boundary adjustment.

A couple of questions seem to be rising in the early stages of this debate. One is, why the rush? Why now? It has been pointed out by the minister that some discussion apparently began in 1981. I had reason to want to know something about Canada's Wonderland in the last day or two, as I drove by it to the plowing match. Our children went there many, many years ago, and for my own interest, I found that Canada's Wonderland was built and opened in that very same year. That's how long this discussion has been going on: since Wonderland opened.

The other question seems to be how we're approaching this, but it's important to remember what we did in the past. The government did provide resources to help the municipalities find an agreement. It wasn't like we did this in isolation. We talked with the various persons who would be most interested, those being the local people and their municipal representatives. That wasn't successful. This proposal does reflect a recommendation

made by another, being the Office of the Provincial Development Facilitator, and that was brought about in February 2008, which again wasn't just yesterday.

We have this transfer of almost 2,300 hectares if this bill were to pass. It will accommodate Barrie's land needs, which I also noted as I drove through that area just yesterday, and it has long-range planning in it that would take them to 2031.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Beaches–East York has up to two minutes to respond.

**Mr. Michael Prue:** I listened intently to my colleagues from Huron–Bruce, Durham, Welland and Chatham–Kent–Essex.

I must say to my two colleagues from the Liberal Party that I was hoping for some edification when they stood up to talk for two minutes. They certainly didn't talk about anything I said or give any explanation as to why this government is hell-bent to proceed at this particular time.

The member from Huron–Bruce talked about services and that she was going support the bill. This does not surprise me, inasmuch as she is a loyal Liberal backbencher. And the member from Chatham–Kent–Essex did not refer in any way to other municipalities in a land boundary dispute, some of which were in close proximity to his own riding in southwestern Ontario, which I referred to. Two of them were from southwestern Ontario, one involving the town of Tecumseh and the county of Essex and the city of Windsor, and the other the township of Blandford–Blenheim and Woodstock. I know they're not exactly in his riding, but they are in close proximity.

I thank the member from Durham. He noted my municipal background and did have something to say about what I had to say. I trust that I raised some significant details to try to encourage a debate.

My colleague from Welland talked about compensation, and I think that's what this whole thing comes down to. There is the entire environmental impact that I don't think has been well reasoned; there are outstanding studies. But if one looks only at the compensation that is due to a town like Innisfil, a struggling town that is caught in the same economic morass and downturn that the rest of us are, to lose the potential of all this money, to lose these lands that would have been key to its survival in the long term as a robust municipality, is heart-rending. I think we need to talk about that too.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mrs. Julia Munro:** I'm pleased to be able to join the debate on Bill 196, the Barrie–Innisfil annexation act, 2009. It is a simple bill: Some 2,293 hectares of land are to be torn out of Innisfil and turned over to the city of Barrie without a penny in compensation to Innisfil. The people who live in the area to be annexed will have no say whatever about their fate, and neither will Innisfil council nor anyone else in the town.



Barrie's desire to annex land from Innisfil has a long history, including two bills before this House in the past 30 years. The town's fairgrowth.ca website lists the history, and I would like to include it here today for the public record.

"In 1891, 500 acres of Innisfil became incorporated as the village of Allendale, now part of the city of Barrie.

"In 1897, Barrie annexed a further 500 acres.

"In 1950, Innisfil had reached a population of 3,500. The advent of paved roads, the popularity of the automobile, the low price of gas and the even lower cost of housing outside Toronto encouraged commuter residents. What had previously been only seasonal development along Innisfil's shoreline, evolved to become permanent residential development. Today, about 90% of the shoreline consists of permanent residences....

"In 1967 another 600 acres of Innisfil land was annexed by the city of Barrie, to accommodate the establishment of what is now known as Park Place (formerly Molson's).

"In 1982 (January 1st), almost 9,000 acres of Innisfil land was annexed to the city of Barrie.

"In 1982, the Barrie-Innisfil Annexation Act also came into effect. This act identified lands at the northern boundary of Innisfil as moratorium lands. Land uses in this area were restricted and legislation ruled that the city of Barrie could not annex these lands," without Innisfil's consent, until either 1997 for one part or 2012 for the other part.

"In 1987, a little more than 700 acres of Innisfil was annexed to [the] city of Barrie. As a result of the annexations, Innisfil's population was reduced by approximately 27% to 12,153 permanent residents, and its total tax assessment declined by 20%....

"Between 2007 and 2009, Innisfil has attempted to negotiate an arrangement that would see [the] city of Barrie extend water and sewer services south of its city limits to businesses located along Highway 400 and Innisfil Beach Road. In exchange for such services, the city of Barrie has pursued land from Innisfil in order to increase residential and industrial growth. Negotiations among the parties have failed to yield an agreement which is agreeable and beneficial to all involved."

Only one reason exists to take these lands: massive commercial and residential development to the south of Barrie. Sprawl is what this is called. Since Barrie is governed separately from the rest of Simcoe county, development in the annexed area will not provide any tax revenues for services in the county. When I asked the Minister of Municipal Affairs and Housing on May 26 about the action he was going to take, he said, "... at the end of the day, if we're not able to find a local solution, we will work collaboratively to find a solution."

Today we have a bill in front of us that represents the minister's solution. There are two things that I think are critical in understanding this bill.

One is the question of sprawl. Obviously, much has been said by various ministers on the evils of sprawl, and yet that's exactly what this bill contemplates. It con-

templates taking almost 2,300 hectares that are natural lands—agricultural and protected lands—and rezoning them for commercial, industrial, and residential opportunities.

At the same time as it does that, it obviously increases Barrie, according to those 2,300 acres of sprawl, without the recognition of the value of that land, without the recognition of the potential of that value. Obviously, those are two things that one would consider to be appropriate in any solution that one was looking for as an equitable solution.

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Brian Jackson, the mayor of Innisfil, told the Innisfil Examiner: "We regret that the Ontario government has seen fit to force a solution on us.... We believe there would have been a locally negotiated settlement if there had been a firm assurance there would not be any government intervention and had we (not) been dealing with Barrie negotiators who were not prepared, reluctant to make a deal and had no concrete proposals of their own."

At the same time, the province is launching a consultation on a Simcoe county growth plan, after it has decided where Barrie's growth is going to go. Many would regard this as a cynical gesture by the government. Innisfil residents will get to have their say about growth but it will make no difference to the town's new boundary. The Liberal government will use its majority to force the bill through the Legislature long before the growth plan is finished.

The federal MP for Barrie, Patrick Brown, stated in an editorial on June 4: "Growth must not be permitted to occur without the appropriate checks and balances. The county of Simcoe and city of Barrie's growth plans both aspire for residential development at a much too rapid pace."

On May 26 of this year, I asked the government about the growth plan and its effect on Innisfil. In response, the Minister of Energy and Infrastructure said, "Certainly, we have a high expectation that the growth plan will be abided. It seeks to limit sprawl and intensify the development in particular areas where the infrastructure is well-suited to it. Barrie is obviously one of those."

This is all well and good, but the fact is that the government is planning this sprawl before it writes the growth plan. I think that's part of the concerns that people recognize in this particular bill, that while the ministers—several of them—refer to the need to avoid sprawl, it seems that the clock begins after they've taken the land from Innisfil.

Why didn't they prepare the growth plan first? Why didn't they consult with residents of Barrie, Innisfil and the surrounding communities to find out where growth should go? Maybe the answer would have been, "North of Innisfil." We will never know, because the decision was made by the government without consultation and without planning. So much for a real growth plan.

After the bill was introduced, the Minister of Energy and Infrastructure came to Simcoe county and said, "I'm not going to tell the mayor of Innisfil or the regional



chair (what to do). We've put out a report designed to lend direction, shape and leadership (to growth), but we're also providing ample opportunity for dialogue. We've asserted what we think would be a good way forward...."

Maybe he should have told his colleague the Minister of Municipal Affairs not to tell the people of Simcoe county what to do.

Local politicians in Simcoe county are shocked by the annexation process. Here is some of the coverage from the *Innisfil Scope*:

"Warden Tony Guergis told councillors that the decision imposed by the province in early June has made a shambles out of the county's work over the past two years.

"We have an imposed solution that does not reflect any of our voices," said Guergis. "The county did great work. Nobody else in the province can say they've done what we've done. We were pioneers. We were the first to go through the (Places to Grow) legislation."

"Adjala-Tosorontio mayor Tom Walsh was blunt in his assessment of the province's decision to cut his municipality's population growth substantially over the next 25 years.

"For somebody who hasn't got much to start with, it meant a lot. We were satisfied (with the county's plan for growth)," he said. "We should stand up and be counted."

"Essa mayor Dave Guergis said that he still could not understand the province's insistence on linking population and job growth so closely.

"Every day, I see hundreds of Barrie residents leaving Base Borden in my township and driving to Barrie, where they live," he said. "We have seen our growth cut by over 1,400 people, but we have already built our sewage and water treatment plant capacity for those levels."

The deputy mayor of Adjala-Tosorontio township, Doug Little, "said he was disappointed with the role of Barrie MPP Aileen Carroll, and her level of partisanship in the process.

"She may represent Barrie, but there should be some consideration given to the neighbouring municipalities. Barrie should clean up its own act before embarking on annexing land from its neighbours," he said."

Local farmers are against the annexation plan and are dubious about the growth plan. The Simcoe County Federation of Agriculture opposes the annexation. According to the *Innisfil Examiner*, "It put forward comments on land use policy in the Places to Grow legislation and regulations, designed to preserve farmland.

"The government never paid any attention to it," federation president David Riddell said in an interview. "Are we surprised? No."

"Riddell acknowledges the area in question has been subjected in recent years to ever-increasing pressures from the development industry, which has been buying up farmland at greatly inflated prices propelled by demand for industrial and residential growth beyond the greenbelt around the greater Toronto area.

"You can't blame the farmers for selling their property. If we could get a decent price for what we produce, the temptation wouldn't be so strong," he said.

"But on the flip side, Barrie has a lot of brand new industrial and commercial units right now with nobody in them. Why doesn't the city take the time to fill them first before taking up more land?" Some good questions from our Simcoe county farmers.

We must also ask what effects Barrie's sprawl will have on the environment and Lake Simcoe. I have already pointed out in the Legislature that Barrie puts two and a half times as much phosphorus per litre into the lake than Innisfil. Does the government seriously expect that allowing massive development to the south of Barrie will not harm the environment?

Local environmentalists are concerned about the government's plan for sprawl. Claire Malcolmson, co-ordinator of Campaign Lake Simcoe for Environmental Defence, referring to the growth plan, said, "Concentrating population growth in the area's largest centres makes good planning sense, particularly in Barrie, but opening up new areas for residential development and paving over prime agricultural lands to create new employment nodes in unserviced areas is definitely a step backwards."

She goes on to say, "We always knew that Places to Grow and the Lake Simcoe Protection Act were at odds because saving the lake requires ... not paving massive areas of the watershed. Putting more jobs and housing in Barrie at least follows Places to Grow and supports compact development. We hope that the new development proposed in this announcement will not increase the phosphorus loads from sewage treatment plants in the ... watershed. The ... act is supposed to cap those sources of pollution, but now I'm not sure that will be possible. The province can still do the right thing and save agricultural land in Simcoe."

I first asked this government about the phosphorus levels in the lake in November 2006. I asked the then-Minister of Municipal Affairs:

"Your ministry is leading the intergovernmental action plan to assist in planning development in Simcoe county. As part of this, the Ministry of the Environment paid the Lake Simcoe Region Conservation Authority \$1.5 million to develop the framework that provides advice on development plans and, most importantly, their impact on Lake Simcoe.

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"Despite the conservation authority's advice, your IGAP process is now recommending a strategy for development that would allow the level of phosphorus flowing into Lake Simcoe to increase, even though the authority told you that phosphorus levels in the lake are a problem.

"Minister, why do you support increasing phosphorus levels in Lake Simcoe?"

The minister of the day could not give me an answer to the question then. I wonder what he would think today, now that he is the Minister of the Environment. Remember, Barrie puts two and a half times as much phosphorus



per litre into the lake than Innisfil. I wonder if the current environment minister would be supportive of his two colleagues' plan for annexation and sprawl if he was the Minister of Municipal Affairs.

Some of Barrie's leaders are concerned about the annexation's effect on the environment. Barrie's federal MP has asked if the development decisions are being based on what is best for Barrie. In his June 4 editorial he said, "The pace of growth occurring in Barrie over the last 20 years has had a significant impact on our quality of life. Future development must only be permitted in a fashion that does not overwhelm Lake Simcoe."

He went on to say, "We are just now turning back the clock on the environmental damage caused by our rapid development and have made tremendous progress in the past two years thanks to the unprecedented federal investment of \$30 million to help clean up Lake Simcoe ... I wonder if an additional 30,000 homes in the south end of Barrie would hamper our ability to keep Lake Simcoe clean. I believe it is incumbent on the provincial government to bring forth that case before any floodgates to massive residential growth are opened."

I think Mr. Brown has asked some important questions that this government is failing to answer.

The quality of life for people in Innisfil and Barrie depends on how we treat the environment and how we plan development. The MP for Barrie is concerned about the environmental effects of sprawl, but the federal government has no power in this area. I wonder if the MPP for Barrie will regret giving up the chance to champion the local environment and the lake in favour of supporting further urban sprawl.

I find it very interesting that a government that is so interested in placing a greenbelt around Toronto is so happy to sanction sprawl around Barrie.

A key question for Innisfil residents is the effect that annexation will have on their taxes and the town's economic viability. This concerns both the town as a whole and the residents in the annexed area.

On May 28, I said the minister, "Preserving the high quality of life enjoyed by residents of Innisfil depends on preserving the town's economic viability and"—that includes obviously—"its tax base. Barrie's desire to annex large sections of Innisfil puts the town's viability and quality of life at risk."

"Minister, what message do you have for my Innisfil constituents who are seeking to keep their town a great place to live?"

I am pleased that the annexed area is not as large as some feared. The town of Innisfil did not lose the Georgian Downs racetrack or a large chunk of its existing commercial tax base, but residents of the annexed area are concerned that they will see their taxes rise. One resident of the area to be annexed e-mailed me and said the following:

"I have been waging a one-man war against the annexors and I still have no answers about our future.... Quite frankly, I am expecting a large jump in our prop-

erty taxes next year simply due to our large frontage and our acreage, which is presently zoned rural residential.

"Having been forced to engage the city in the past on other issues like landfill and airports, I see how local politicians forge ahead with their own agendas in spite of those ... they serve.

"I believe my concerns are legitimate, but so far everyone I have spoken to has just passed the buck."

Before this bill becomes law, I would encourage you to provide my constituent with some answers. Even if you will allow no chance to stop this bill, he at least deserves to know if his taxes will go up. And if you cannot tell him if his taxes will go up, you should tell the city of Barrie to give him an answer.

Along with the council and residents of Innisfil, I have been fighting the proposed annexation for many months. Several months ago I arranged for the mayor and me to meet the Minister of Municipal Affairs. The town of Innisfil has actively promoted its views. On May 7, 2009, the town of Innisfil launched the fairgrowth.ca website and media campaign to raise awareness of the issue. On May 13, 2009, a fair growth rally was held in the Stroud community centre, where several hundred people attended to be able to hear the council and their update on the negotiations, as well as to voice their concerns.

One of the interesting things at that community centre meeting was the number of people who came from what is now Barrie but what had been annexed land from Innisfil, and they certainly, I think, felt very strongly against the proposed continued annexation. It was quite interesting to hear the kinds of statements that had been made to them some years ago, when Barrie had made the earlier annexation, on public transit and not impacting on their local taxes. Of course, they had seen the taxes go up and no local transit. So there was certainly much cynicism about the kinds of opportunity, if you want to use that expression, that annexation presented to those people who would now, under this bill, be annexed; certainly not a very promising picture from those who chose to come to the public meeting.

On May 21, 2009, a fair growth demonstration was held here at Queen's Park, and this event was organized by the Innisfil Chamber of Commerce. I think it's important that it was the chamber of commerce that recognized, if you like, the commercial threat, the question of the tax base and the commercial viability of the community, and the fact that there was, as we now know from this bill, no compensation for the loss of this land. But people rallied—as a matter of fact, four busloads of concerned residents attended this demonstration, and I think it speaks to the strong sense of commitment of the community to the need for some kind of compensation. I think many recognized that the writing was on the wall, but they also recognized that there was the need for a fair deal and that one municipality shouldn't have the ability to bankrupt its neighbour. I was very proud to speak at this rally on behalf of the Innisfil constituents.

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But I think it's really important that an opportunity comes when we complete second reading of this bill. I



think there is an important role for government to play in offering committee hearings, and those committee hearings should not just be at Queen's Park, but in fact should be in the community of Innisfil. My constituents, I believe, have a right to make their views known, and hearings will also allow this issue of compensation to be raised based on the proposed annexation. I think people see this as a fairness issue: If Barrie is allowed to profit from the annexation, Innisfil should be compensated for its losses.

I've outlined for this House many of my constituents' concerns about this annexation, but I would like to end my remarks by putting the bill in the perspective of the government's planning process.

What strikes me first about this is the complication of layers of planning that this government has taken on in the last few years, particularly where local planning decisions have historically been the question. When the government made the decision to introduce the greenbelt, people like me—because at the time I was the municipal affairs critic for our party—identified one of the consequences to that, which of course would be the question of leapfrogging, the fact that when you froze an area, there was going to be further sprawl. In fact, it's kind of an interesting irony, because people talked about freezing this land, as has happened with the greenbelt, but now we all face the traffic going through the greenbelt to get to these new areas that are opening up. Certainly, south Simcoe has been the recipient of much of the activity that the greenbelt forced. So we have in various parts the area of the greenbelt and the limitations that it provides. Then we have the question of Places to Grow, the question of the development of nodes and things like that. Then we have Simcoe county's official plan, which it is by law required to create. And then we have the government talking about its plan for Simcoe county's growth.

On top of all of those layers of decision-making and the IGAP process, where the conservation authority's \$1.5-million research was ignored, we have the Lake Simcoe Protection Act. While this act carries with it no money, no funding allocations, it does presume a level of environmental activity and regime and protection, by its very name and nature, which serves to raise questions in the minds of constituents: What trumps what? When is sprawl not sprawl? When Barrie wants it? When is protection of Lake Simcoe an issue? Only when it doesn't concern Barrie? When it's not the two and a half litres more of phosphorus loading than Innisfil? When is land really the issue, but then we can have ministerial zoning orders?

So there's a lot of confusion about this process and the fact that this bill then adds, frankly, further confusion, but I would also say that it raises questions of the future. What happens next? Obviously, the government believes—and there's certainly evidence in terms of making Barrie a nodal area, but then there are more places in Simcoe county, as I expressed earlier by the concerns of others, that also want to be considered. So it's a question

then, I think, of what the future is. Does this mean, without any changes in structure—are we going to have this conversation with Barrie and Innisfil and Simcoe county? Are we going to go over the same arguments in 10 or 20 years from now over annexations?

Right now, it seems to me that it's Barrie, all; Innisfil, zero.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Peter Kormos:** That was an interesting pause there, Speaker—

**The Deputy Speaker (Mr. Bruce Crozier):** The member from Welland.

**Mr. Peter Kormos:** —but I understand.

I like Ms. Munro. She's a skilled and effective member of this Legislature. In the last 45, 50 minutes or so she's brought healthy, intelligent analysis to this debate. In fact, she's been more than generous with the government, because this government, with its bully tactics, is going to reduce us to pleading for compensation when in fact maybe the real issue is that there shouldn't be an annexation at all.

It's a strange thing going on. On the one hand, governments increasingly are inclined to give municipalities more autonomy, more powers, but it seems to me that it only applies to big-city Ontario, and big-city Ontario is being encouraged to bully and beat up on rural Ontario.

The authors of this legislation don't see the inherent quality of rural Ontario. The authors of this legislation don't see the inherent quality of good farmland.

Down where I come from in Niagara, we have an organization called PALS, the Preservation of Agricultural Lands Society. My predecessor Mel Swart, who was a great man, was a long-time spokesperson for PALS here in this Legislature. The struggle by people who love rural Ontario and the struggle by people who understand and love the culture of small-town Ontario to preserve rural and small-town Ontario is a profound one.

We've got to have public hearings. I think the government will be surprised at the intensity of the dislike of those rural Ontarians around Barrie for this disastrous proposal.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Joe Dickson:** I commend the speaker from York-Simcoe, who raised a number of issues. I would like to point out that in my community we have been through something similar. It was an amalgamation process—this, of course, is the dividing of two municipalities—and when we did that, we added some seven municipalities, from Pickering Beach, from Audley, from Pickering village, part of Pickering township, Squires Beach. We expanded the municipality of Ajax so we could continue to allow for the appropriate growth and the appropriate development in our area, a similar situation to what we have here through the municipal process.

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I guess it's a philosophy, when you hear some of the comments that are made throughout the day, that there is



no closure in contract; this is missing or that is missing. We all know after a process that there is a clean-up time frame and there is also a transfer of payments in one shape or form, one side or the other, and that's a given at the municipal level.

I commend the Premier. I commend the minister. Thirty years is too long to debate an issue. We can stand here and say, "Should we continue on? Absolutely. It has been 30 years already. Why don't we keep going?" Somewhere in this slow, mule-driven economy, process, bureaucracy, some day, somebody has to do something in a reasonable time frame, and I'm glad to see this going ahead. I'm pleased that the minister has brought forward the bill, Bill 196. I'm certainly going to support it, and I look for the support of the Legislature.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John Yakabuski:** I must respond to the comment from the member from Ajax-Pickering. He says that 30 years is too long to debate any issue. I have to ask him how long he has been married. But anyway, I also—

**Hon. Jim Watson:** Leave your wife out of it.

**Mr. John Yakabuski:** I'm not married 30 years yet, but I suspect Joe is.

I also wanted to comment on an earlier statement by the member for Chatham-Kent-Essex, who said that this is a boundary adjustment, dismissing this whole thing as a boundary adjustment, as something that shouldn't be a big problem or a big deal. What I would ask him is, if your neighbour wanted to have a boundary adjustment which meant that he took half of your property and gave you nothing in return, I'm just wondering if you would have a problem with that boundary adjustment. That's what is happening here.

The city of Barrie, which needs to expand—we understand that; they want to grow—wants to take part of Innisfil. Innisfil is not going to say yes. In fact, they're going to defend their rights to be Innisfil. You wonder why this has taken 30 years; it's because, obviously, Innisfil does not believe that there has been any offer put on the table that is satisfactory to them and their future. Where do they go from here? How do they preserve what they see as their historical rights and their lifestyle that has been part of what has made Innisfil Innisfil since, as the member from Beaches-East York said, prior to Confederation?

It's not a simple matter of just saying, "You used to live in Innisfil; now you live in Barrie." That's not the matter, and the people from Innisfil have some real questions. The member from Welland, who talks about cities taking over rural people, is right. That kind of thing can't be done without due consideration.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mrs. Joyce Savoline:** It's regrettable that such permanent, long-term decisions are made without a plan for how the change is going to be managed. I think, as I've said before, that this is a pattern of this government—to make wonderful announcements and to try to impress on people that somebody is working here on their behalf at

Queen's Park, but in reality, what it is is a headline. It is a headline, and there's no substance to the initiative.

In this case, there are so many unanswered questions. Whether or not the decision to go forward with this was a good one or a bad one, the results are not going to be good. The wounds that are created within the community last for a very, very long time.

Who compensates Innisfil for their financial losses in this? All municipalities are struggling. Innisfil is not a large community. It's a rural community, and now it will have its opportunity to expand into this area cut off.

Who is protecting the agricultural land? We're talking about annexing, or giving away, to Barrie agricultural land that will now be used to develop residential and industrial growth.

What happens to Simcoe county's official plan, which is somewhere in the Ministry of Municipal Affairs and Housing for approval? They worked long and hard, communicating with their residents on how they would include their values and their characters in that official plan. All of a sudden, that's scooped with this boundary decision. Do they have to go back to square one and start their whole process again? It's expensive, it's cumbersome and it's unnecessary.

A lot of questions are left unanswered with this decision.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for York-Simcoe, you have up to two minutes to respond.

**Mrs. Julia Munro:** I'm pleased to respond to the members from Welland, Ajax-Pickering, Renfrew-Nipissing-Pembroke and Burlington.

If I were to look at the concerns that they have raised, it's a common thread in terms of the kinds of challenges that we have, and that is the question of managing growth. It's the question of balancing the environment, rural life and the kind of urban growth that is recognized to be part of being in the 21st century. That's kind of the backdrop that people spoke to.

I think that they are correct in recognizing that the issue, as brought out by various speakers, is the fact that you also have to have something that's fair. So, while there are some inevitable elements to this, fairness should be one of those inevitable elements, and that's where the problem lies. When people look at this bill, they're not looking at something that speaks to that fairness. And it's encumbered by the fact that when you have people talking about the evils of sprawl and then grabbing almost 2,300 hectares, this doesn't look like the protection that is also espoused by this government.

I thank those who offered their comments in this debate.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you to all.

There are two clocks—and numerous watches, no doubt—in this Legislature, but my pocket watch always wins, and it's time that the House was adjourned until 9 of the clock tomorrow morning.

*The House adjourned at 1757.*



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No. 165

N° 165

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

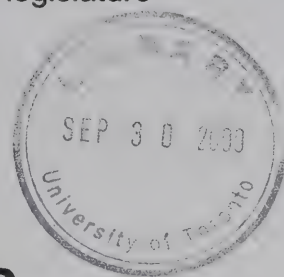
First Session, 39<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**



**Thursday 24 September 2009**

**Jeudi 24 septembre 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
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Publié par l'Assemblée législative de l'Ontario

## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 24 September 2009

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 24 septembre 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the Hindu prayer.

*Prayers.*

### ORDERS OF THE DAY

#### BARRIE-INNISFIL BOUNDARY ADJUSTMENT ACT, 2009

#### LOI DE 2009 SUR LA MODIFICATION DES LIMITES TERRITORIALES ENTRE BARRIE ET INNISFIL

Resuming the debate adjourned on September 23, 2009, on the motion for second reading of Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil / Projet de loi 196, Loi concernant la modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Garfield Dunlop:** I'm pleased to be able to rise today and make a few comments on Bill 196, the Barrie-Innisfil growth plan—I guess you could call it the boundary adjustment. However, it also has a huge effect on the strategic vision for growth in the county of Simcoe.

I understand from the legislation that there will be somewhere around 2,300 hectares of land taken from the town of Innisfil and put into the city limits of the city of Barrie, and I understand that it's to take effect as of January 1 of this year. That's my understanding.

It's good to see you in the chair, Mr. Speaker. I thought we had another Speaker there a minute ago. I didn't see you come in.

We have some very, very deep concerns with how this has gone about and particularly how it affects other areas. To begin with, this has been an ongoing dispute, as we know, for many, many years. There's no question that the city of Barrie is one of the fastest-growing communities in the province of Ontario, and it's not by accident. There's a six-lane highway to the city of Barrie. Obviously, we would expect growth to take place in areas where we have a good transportation system. Of course, we've got the GO train there now. Barrie is a very urban community and a very good city within the province of Ontario. However, so is the town of Innisfil. The town of Innisfil has shown leadership over the years. It has been well administered, and it has been a good partner and a good neighbour of the city of Barrie as well.

The concerns that I have are that there is apparently a population—as we follow the intergovernmental action plan and the Simcoe county growth plan and these Places to Grow types of legislation and documentation we bring forward, I have a couple of concerns. By 2031, the total population of Barrie, Orillia and the county of Simcoe is projected to be somewhere around 666,000 or 700,000 people. I know there has been this ongoing dispute about the growth plan.

I was concerned about two things. One is the distribution of the population with other municipalities in the county of Simcoe. In particular, I'm thinking of two municipalities in my riding: the town of Penetanguishene and the town of Midland, which have basically been left out of any growth and are not included as a growth node in the strategic vision that Minister Watson works on, along with Minister Smitherman, on sort of a dual role as they try to develop it.

The second area I'm concerned about is this area of 2,400 hectares, which is a large sum of land, a large piece of property; however, I'm concerned about all the work that has been done on the Lake Simcoe protection plan, the Lake Simcoe Protection Act, the money that has been pumped in from the federal government, all the work that has been done by stakeholders. I am really concerned about how this 2,400 hectares of urban sprawl will impact our beautiful Lake Simcoe and what measures will be put in place so that we don't have a negative impact on the lake. Because when you add 100,000 people or 125,000 people in 2,300 or 2,400 hectares—and that's likely where most of the population will go—there will likely be a negative impact, with sewage discharge and with stormwater management in particular.

I would really like, at some point, at committee hearings or even in debate in the House here, if we could get some response back from the ministry or from the minister himself indicating how they plan to protect Lake Simcoe from urban sprawl with the 2,400 hectares that have been basically taken into the city of Barrie.

The other concern I have—I mentioned it earlier—is a high level of concern with the strategic vision for growth in the county of Simcoe from a couple of the municipalities. I'm going to read some comments here, if I may, about some of the concerns they have.

This is a joint presentation between the town of Midland and the town of Penetanguishene, and they "are committed to working with the province and the county of Simcoe in achieving our shared goals and vision of protecting, growing and developing communities that enhance job creation and quality of life, offer our residents



new employment opportunities in robust, healthy and sustainable communities while protecting the area's natural heritage system.

"The towns of Midland and Penetanguishene believe that it is in the best interests of the north Simcoe area, the broader Simcoe county area and the province of Ontario that an urban node recognizing Midland-Penetanguishene be designated in the proposed amendment to the growth plan for the greater Golden Horseshoe."

Basically, when you give most of the population growth to one area, in this case the city of Barrie, the little bit of growth that is allowed for Penetanguishene and Midland is almost negligible. So the requests from the towns of Penetanguishene and Midland are as follows:

"The towns of Midland and Penetanguishene have reviewed at length and in detail the province's proposed vision for the Simcoe area as contained in the discussion paper 'Simcoe Area: A Strategic Vision for Growth' (SASV) dated June 2009. The towns have also reviewed the province's proposed vision in the context of the principles contained in the growth plan, the Lake Simcoe Protection Act, and in the proposed county of Simcoe official plan and are of the opinion that changes are required to that vision in order to be consistent with the award-winning growth plan for the greater Golden Horseshoe and the province's objectives for the Simcoe area.

0910

"The towns of Midland and Penetanguishene request two fundamental changes to the proposed amendment to the growth plan as set out in the SASV discussion paper. These changes are:

"1. That an urban node be identified for the north Simcoe area, encompassing the towns of Midland and Penetanguishene, to complete the conceptual urban structure for the Simcoe area as described on figure 1 to the discussion paper.

"2. That the province revise the population and employment allocations, as set out on tables 2 and 3 of the discussion paper, to recognize and plan for focused growth in the Midland-Penetanguishene Urban Node."

When I talk about the towns of Midland and Penetanguishene, I want to assure you that we're not talking about people who have mismanaged the environment or anything like that. The towns of Midland and Penetanguishene are both part of the Severn Sound Environmental Association, and I might point out that it was the first hot spot on the Great Lakes that was delisted as a hot spot by the International Joint Commission. So they are very, very careful about the concerns they have for the environment.

On top of that, there is a strong concern about the treatment of sewage, where the effluent is disposed back into our bodies of water. I can assure you that both the town of Midland and the town of Penetanguishene have state-of-the-art sewage systems and tertiary treatment that would allow continued growth and expansion of the systems as well.

In speaking to both mayors—Mayor Downer of the town of Midland and Mayor Dubeau of the town of Penetanguishene—they're asking us to seriously look at this joint urban node for Midland-Penetanguishene, because they feel they have been left out of the picture entirely and Barrie has basically got all the growth for Simcoe county. We can certainly understand Barrie having some growth—there's no question about that—if it's another 50,000 or 75,000 people. But in this case it's way over 100,000 people in this 2,400 hectares of land, and places like Midland and Penetanguishene, where there is a lot of potential growth as well, are basically being left at almost no growth whatsoever. So we really want to zero in on that, and we'll continue to ask the minister questions on that.

I want to add a couple of other things about those communities. The towns of Midland and Penetanguishene provide a broad range of federal, provincial and county services:

"Midland-Penetanguishene is the main hub of federal, provincial and county services in the north Simcoe area and provides a wide range of public services to the broader Simcoe Area.

"The North Simcoe Hospital Alliance (NSHA), a single hospital operating two sites in Midland-Penetanguishene, is the third-largest hospital in the entire North Simcoe Muskoka LHIN area and provides a full range of medical services to the 47,000 permanent and over 40,000 part-time residents of this area. The NSHA, in addition to having 630 employees and being the 18th-largest employer in the Simcoe area, is a regional centre and an emerging centre for excellence in complex continuous care and rehabilitation."

The next thing is very important as well:

"The Mental Health Centre Penetanguishene (MHCP) is a fully accredited 312-bed psychiatric hospital which has operated as a psychiatric hospital since 1904 and was divested from the province of Ontario to a public hospital corporation on December 15, 2008. Providing psychiatric services to the broader Simcoe area, the MHCP released a request for qualifications ... to design, build, finance and maintain a new, state-of-the-art mental health ... facility that will be built on the hospital's existing site."

Those approvals have all been in place, and we will be moving forward on that in the foreseeable future with an expanded new facility on that particular site.

I could go into all the different urban services etc., that are on-site, but in summary, I really want to have the province and the Ministry of Municipal Affairs and the Ministry of Infrastructure Renewal revisit that node—or that potential node—in the growth plan. I think they'll be under some pressure from the municipalities in northwest Simcoe. I think it's only fair that growth be distributed somewhat equally in Simcoe county, as opposed to one area getting 75% or 80% of the growth, which will happen with the passage of the growth plan and the passage of this legislation.

As I said earlier, I understand the city of Barrie needs additional lands. They are built out in all their quadrants



and they need to have additional lands. However, as I said earlier, have the environmental concerns been addressed properly at this stage or are we going to find out in some regulation down the road that they have not? I hope that as we move forward with this debate and we get into committee, we can ask a number of questions and we'll make sure that the protection of Lake Simcoe is paramount. As I said earlier, there's been a lot of effort put in by scientists and by concerned citizens, by politicians of all stripes at all levels of government to put a special emphasis on Lake Simcoe and make it a model plan for all lakes that might want to address some concerns in the future.

As we move forward, and we do have—I think even the minister mentioned in his comments yesterday some of the concerns we have around Lake Simcoe, not only the urban sprawl and the 2,400 hectares that will be included in the city of Barrie and built upon in the future, but he also mentioned the Holland Marsh and the importance it has to Ontario, but at the same time how nutrients from the marsh can increase the phosphorus levels in Lake Simcoe and how we have to continue to address that as well if we want to move forward and improve the growth, improve the quality of water in Lake Simcoe, and improve the whole quality of life in central Ontario.

Those are my comments for now. I look forward to any comments and questions afterwards and to the debate at committee level when we reach committee.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Paul Miller:** I'd like to commend the member for his research and his concern about the environmental impact that it will have on Lake Simcoe. He has also passed on information which will be useful for groups opposed to this annexation.

I lived through this myself. When Hamilton amalgamated, I sat on Stoney Creek council. There was Dundas, Flamorough, Glanbrook and Stoney Creek. At that time, the people of that area were not too thrilled about being amalgamated. In spite of that, it went ahead anyway, to the chagrin of a lot of people.

When you are imposing these types of boundary changes on people, it affects people's lives directly—landowners. It also affects the amount of pollution control required to deal with the additional impact on the sewer systems in the area. I hope that the water treatment plant in the area is up to snuff on the ability to handle the growth and the volume of pollution that will come into that system and into the very fragile Lake Simcoe watershed. I'll have a lot more to say about this in the next few minutes.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Norm Miller:** I'm pleased to add some comments to the speech from the member from Simcoe North on Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil. Certainly, we've seen time and time again how the member from Simcoe North is raising concerns that,

one way or another, affect the riding of Simcoe North and the area generally. I know that on many occasions he's brought up the water quality in Lake Simcoe, and he noted that in his speech again today. Of course, he was fighting against the new landfill site. It looks like he's been successful in that fight against site 41.

Just last week in the Legislature he was raising questions to do with a business that's actually located within the town of Innisfil, and that's Georgian Downs. He was raising questions of the government to do with the number of race dates that seem to be continually being cut back over the last number of years and the tremendous negative effect that is having on agriculture and the people who are in the business of raising horses for racing. That is a tremendous business. In fact, this morning I just met with the Ontario Harness Horse Association, with Darryl MacArthur and Brian Tropea, who are here, I note, up in the gallery watching the proceedings this morning.

**0920**

Certainly the member from Simcoe North is concerned about issues not just in Simcoe North but that affect us right across the province, and I thank him for his concerns. I note that the mayor of Innisfil was on the news last night, concerned about the 2,293 hectares they're going to lose to Barrie. I certainly support development where it makes sense in urban areas. I know the member has raised concerns about what happens with some of the other communities in Simcoe county. I'm sure he will want to see this go to committee so that those questions—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further questions and comments?

Seeing none, the honourable member for Simcoe North, you have two minutes for your response.

**Mr. Garfield Dunlop:** Thank you very much to both the member from Hamilton East and Parry Sound—Muskoka for their comments. I'm very pleased to take part. It's interesting to note as well that we have not only the debate here in the House on Bill 196 but we also have the minister coming, beginning next week, for 15 hours of debate at estimates. I know I have a series of questions on the Simcoe county growth plan for the ministry and some on this bill as well that I hope he can clarify.

I appreciate the comments, particularly from my colleague who mentioned the concerns about Lake Simcoe. In my particular case, I have 100 kilometres of shoreline on Lake Simcoe. Whether it's a cottage association or a municipality, the citizens of my riding are very, very concerned about the water quality. When you add another 100,000 people in 2,400 acres, they want to know what that impact will be, not some promise from a minister or some potential study. We want to know what that impact will be, because there is a huge stormwater management and sewage allocation that we'll have to be concerned about as we move forward with that.

I also want to thank him for bringing up the topic of harness horses and the Barrie Raceway and the fact that they are trying to close racing dates in Simcoe county,



which is basically a rural riding—at least that is the way the province has perceived it to be—and many people work in agriculture in our community; many of them are in the harness horse business. To think we would expand the number of slot machines, double or triple the number of slot machines, and let them run seven days a week, 24 hours a day and at the same time eliminate the number of racing dates—that's absurd and it's irresponsible.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Paul Miller:** The Barrie annexation is the last act of betrayal in a long list of McGuinty government reversals and secret deals in Simcoe county, all to the benefit of a handful of Liberal-friendly developers. This government is kidding itself if it thinks the public was consulted fairly about this act, the Simcoe growth plan or the Lake Simcoe protection plan. There are tens of millions of dollars of developer-driven lawsuits outstanding against the critics of development in Simcoe county—a situation this government not only seems to favour but allows to grow far beyond anything during the Harris years.

At one level, the bill before us seeks to resolve an ongoing dispute over a transferral of land from Innisfil to Barrie. The bill will transfer lands to Barrie from Innisfil as has been planned. On the surface, that's not a bad thing. The city of Barrie has shown greater commitment to sustainable growth than has Innisfil and has made significant investments in stormwater management, which has improved the health of Lake Simcoe's Kempenfelt Bay. The bill will also allow development of 2,300 hectares involved to go ahead, as it lifts the development moratorium on the lands. Until now, the land has been designated for agricultural and resource extraction. Now it will be open to rezoning for employment and residential uses.

The Minister of Municipal Affairs and Housing assures us that, should the bill pass and the transfer of land go ahead, the land will be developed in a sustainable way according to the smart growth principles of the Places to Grow Act. He said in his statement on the bill that it is “a key part of the Ontario government's support for sustainable and managed growth in the Lake Simcoe area.... Resolving the long-standing Barrie-Innisfil boundary dispute would help us address the growth planning and environmental protection issue in this area.” It will certainly promote growth, but where is the evidence that this bill will protect the environment? Will it be developed in a way that sustains the ecological integrity of the already-vulnerable Lake Simcoe watershed, its water quality and water habitats?

We all know that urban sprawl harms health and the environment in many ways. It increases smog, it hinders the development of vibrant communities, it eats up valuable farmland and green space, and it threatens watersheds and wildlife. The Liberal government publicly recognized the need to control urban sprawl when it passed the Greenbelt Act and the Places to Grow Act but somehow forgot to include Simcoe county, despite many

pleas from environmentalists and farmers. Places to Grow was supposed to encourage smart growth, revitalization of downtowns, public transportation options, healthy communities and the curbing of urban sprawl. Can we trust the McGuinty government's assurances that it will ensure that these 2,300 hectares will be developed in a way that protects the already-vulnerable Lake Simcoe watershed?

There are a number of reasons to hesitate before giving this government a blank cheque to go ahead with the transfer and development of the boundary lands. First, reputable environmental groups and the Lake Simcoe Conservation Authority indicate that annexed lands are developed according to current practices. About 60% of Lovers and Hewitts Creeks will be paved over, far above the 10% level recommended by Environment Canada; they're already exceeding the limits. Frankly, in the Hamilton Conservation Authority this wouldn't happen. According to the Lake Simcoe Conservation Authority, this will increase phosphorus levels in Kempenfelt Bay, off Lake Simcoe. Kempenfelt Bay has been identified by the MNR as the most significant nursery zone in the lake, which would allow for a self-sustaining cold-water fishery. Increased phosphorus levels and decreased oxygen levels will threaten the survival of juvenile trout and whitefish and the viability of the whole Lake Simcoe fishery.

Likewise, instead of rushing forward with Bill 196, the Lake Simcoe Conservation Authority recommends that the proposed boundary adjustment contained in Bill 196 only be considered after it can be demonstrated that such growth is environmentally sustainable and does not further negatively affect the health and quality of Lake Simcoe and its watershed. The McGuinty government has failed, to date, to demonstrate that the proposed development on boundary lands will be benign in its impact. They have not demonstrated that.

In fact, the government is pushing through Bill 196 and allowing development to proceed on the annexed lands before key—key—studies on the impacts of the development of this land have been conducted—once again, the cart before the horse. You don't go ahead with negative environmental impacts on communities without the proper studies being done and completed before you annex property.

The conservation authority and Save Lake Simcoe campaign indicate that a range of studies need to be done to assess the impact of future growth: an assimilative capacity study to assess impacts on water quality, not due until the end of this year; a study to assess the impact of stream temperature associated with the boundary change and associated growth, not done; an evaluation of the impacts on water quality and erosion, pending. The conservation authority concludes that it is extremely important that the appropriate studies and strategies be completed prior to the approval of Bill 196 to ensure that the proposed growth contained within the boundary adjustment is environmentally sustainable for Lake Simcoe and its watershed. The assimilation study of phosphorus im-



pacts is not due until the end of the year—once again, the cart before the horse. A subwatershed study is not due until after that—could be a year and a half for that. But we're going ahead anyway; we're going to do it. We're going to put it in there because it's politically polite, politically correct; it's a good thing to do for our voters.

Why is this McGuinty government rushing forward with a bill that allows further development when it doesn't know the full impact of the growth? It's ridiculous. You just don't do things like that when it could have a negative impact on the watershed and the people of the area. It is unwise and rash to push forward a bill that opens up more land for development when we don't know whether the watershed can support this development.

0930

Moreover, if the McGuinty government is so committed to protecting the watershed, why is there nothing in the bill requiring developers to meet the highest possible green building standards, in terms of both building standards and water protection? Will these new houses be energy self-sustaining or energy-dependent? What proposals are in place to maximize the use of solar panels, solar thermal and geothermal heating? I don't see any of that.

Will stormwater and sewage be dumped into the lake, or will the existing technologies be required to dramatically reduce the amount of water taken from and dumped into Lake Simcoe? Will the facilities at Lake Simcoe be able to handle the increased volume that could happen in the next few years? Will these developments be built using green gravel, that is, using aggregate taken from the site, or will these roads and foundations be quarried from the Niagara Escarpment, a UNESCO biosphere reserve, or the greenbelt?

And if the McGuinty government is so committed to the ecological integrity of Lake Simcoe, why did it negotiate a secret deal committing the government to supporting the unprecedented 1,000-slip mega-marina at Big Bay Point? Why is this developer, Geranium Corp., the only one to be grandfathered under the Lake Simcoe Protection Act, despite pleas from virtually every public interest group and local organization about the negative impacts on the lake?

This is the same developer that is suing opponents of the Big Bay Point mega-marina for tens of millions of dollars—interesting. Premier McGuinty chooses to hide behind the privilege of the Legislature while citizens afraid of losing their homes to strategic lawsuits against public participation, known as SLAPPs, forfeit their right of free speech. They are simply too afraid to speak out about secret land deals in Dalton McGuinty's Ontario.

SLAPP suits are a phenomenon that developed not under the Harris government, but under the McGuinty government. The NDP introduced SLAPP suit protection legislation to protect the residents of Big Bay Point, Simcoe county and all of Ontario. The McGuinty government has done nothing in response, preferring to allow

the silencing of critics of development over the troublesomeness of free speech and democracy.

If the McGuinty government is so committed to protecting the greenbelt, why did it not require Simcoe county and other municipalities to come up with a plan to grow the greenbelt at the same time it negotiated the plan to pave the watershed? Most of all, if the McGuinty government is so committed to containing urban sprawl and protecting farmland in southern Ontario, why did its political staff intervene in the form of not one, not two, but three extraordinary minister's zoning orders to override its Places to Grow plan—in other words, go over its own legislation because it didn't suit the situation? It caused the Places to Grow plan to allow big developers to pave over 1,800 acres along the Highway 400 corridor in Bradford West Gwillimbury—that's a mouthful.

Where is the staff report justifying this extraordinary backroom deal that disregards Places to Grow? How are Ontarians to trust a government that makes high and mighty statements about protecting land and ecosystems when it cuts secret deals with developers behind closed doors? Wow, that's interesting. How are Ontarians to trust a Premier who campaigned in 2003 against the Conservative government's secret zoning order to pave over Richmond Hill, and then, six years later, does exactly the same thing in Bradford? The 2003 Liberal election platform, Growing Strong Communities, condemned the Eves government for its secretly approving "a plan to build 6,600 new homes on one of the most sensitive spots on the moraine in Richmond Hill." I guess that's calling the kettle black again: "You can't do it, but we can do it."

The Premier promised a higher standard of ethics and accountability, so how does the Premier justify secretly cutting a deal with developers and reversing its opposition to paving prime agricultural land in Bradford West Gwillimbury? Why do we find the Liberal backroom boy Gordon Ashworth giving advice to the Geranium Corp., the developer that has managed to negotiate not one, but two secret deals with the Premier?

Let me quote from the Toronto Star on December 5, 2007:

"The government has already signed off on one of the most controversial Simcoe county developments, a 1,600-unit time-share project on Lake Simcoe's Big Bay Point. Local ratepayers and environmentalists took the project to the Ontario Municipal Board and the decision is pending.

"Geranium Corp., the developer behind the Big Bay Point project"—and I might add the Bradford employment lands deal as well—"has signed up prominent Liberals to help make its case.

"One of them is Gordon Ashworth, a former senior aide to Premier David Peterson back in the 1980s and a key strategist in the current Liberal government's re-election campaign this fall."

Wow, that's quite a connection. Developers, the Premier, Mr. Ashworth: It all seems to work together; that's unusual. Of course Ashworth denies lobbying for Geranium: "I provide them with communications advice" only,



he says. If you're providing communications advice, you're involved. You're not standing off on the side. You know exactly what's going on. He's not kidding anyone.

If these secret deals are such good planning, where are the staff reports justifying them to the people of Ontario? Where are the reports? If it's such great planning and ecologically friendly, give us some reports on these deals that went on. They haven't got any. How is one to trust a Premier who tells environmentalists in the 2007 election campaign that the Bradford 400-404 link is not part of their 25-year plan? Then, after that, he passes a special zoning order this year, which states that lands designated for employment purposes in BWG "will only develop in the event that construction has commenced on the Highway 400-404 link." Good question.

How can one trust a government that justifies a secret deal to allow development along the 400 to ostensibly keep a company from moving out of Ontario when the company itself, Toromont Industries, said it was never leaving in the first place? They were going to rezone this land to keep that company there. The company is not leaving; it didn't intend to leave. That's a little misleading. "Our company, Toromont Industries Ltd., has no intention of moving 2,500 jobs from Ontario. We have never threatened to do so or set conditions for the province to meet to avoid this non-existent threat." That was from the Toronto Star on March 18, 2009.

Based on the McGuinty government's record of back-room deals with developers, there's little reason to trust this government when it says the act is benign and that it will only allow the best kind of sustainable growth to go ahead. Again and again, the McGuinty government has failed to abide by and enforce the Places to Grow Act. I think that was just a front to make it look good. They've violated it I don't know how many times, so the Places to Grow Act is kind of a joke, really—as mentioned, by secretly negotiating the minister's zoning orders to allow 1,800 acres of urban sprawl on prime farmland in Bradford West Gwillimbury, land that drains into the Holland Marsh; by allowing Innisfil council to convert almost 1,000 acres of rural and agricultural land into residential development; by allowing this 10-fold expansion of the hamlet of Bond Head from 500 residents to 4,500 residents; and by failing to address the population growth issues in the Lake Simcoe protection plan.

Whether the land in dispute on the border of Barrie and Innisfil becomes part of Barrie or not is obviously a concern to the parties involved, and it needs to be addressed fairly and openly. But the bigger issue, which is of concern to many Ontarians, is how development on this land and other valuable green space and agricultural lands in southern Ontario will proceed now and in the future. Time will tell whether development on these lands will be done in a sustainable way. The provincial government has a responsibility today to its citizens and generations to come to ensure that we protect the land upon which our health and the health of our environment depends.

The time for rampant, Wild West development has long passed. It is not at all clear that this bill will lead to

smarter planning, and given that studies are still outstanding, the environmental impacts of this bill on Lake Simcoe and its watershed are also very unclear. We are glad to see that the government is releasing a discussion paper in tandem with the bill on the vision for growth in Simcoe county, but it bears repeating: Releasing the growth strategy for comment at the same time that the McGuinty government appeared at the OMB to support the Bradford bypass and more sprawl is a shallow and ridiculous move.

**0940**

Let me quote Campaign Lake Simcoe's response last month to the government's Simcoe area vision for growth: "Campaign Lake Simcoe, which has advocated for the protection of Lake Simcoe watershed since 2005, is shocked"—shocked, Mr. Speaker—"that this government has put forth for consultation such a dismal 'vision' for an area of such great ecological, agricultural, recreational value. This 'consultation' is also one of the worst examples of a 'sprawl first, consult later' exercise we've ever seen" in our history. "Although comments [were] due September 2, 2009, on this growth strategy, in early August the OMB approved a nearly 750-hectare employment area in Simcoe county, just north of the greenbelt, in the Bradford West Gwillimbury ... Highway 400 corridor. The OMB hearing was conducted in June 2009 and only after the McGuinty government reversed its opposition to the development by suddenly and without notice agreeing in April 2009 to issue three extraordinary 'minister's zoning orders' ... to ensure approval." I don't know—maybe for the developers; I'm not sure.

"The development so clearly contradicts the growth strategy that the OMB chair's decision is conditional on the delivery of rare and controversial MZOs. We agree with the Toronto Star's June 12, 2009, editorial: 'The province could have—and should have—held off on signing any deal regarding development on the [BWG] Highway 400 corridor until the full Simcoe plan had been subjected to public consultation.'"

We agree too. What's the rush? Why the special deal for this one developer? Strong government action is needed to shift development practices in southern Ontario in a direction conducive with environmental protection and healthy communities. Better enforcing the principles of the Places to Grow Act could be a good place to start.

Immediately protecting citizens from developer lawsuits—SLAPPs—and putting a stop to backroom land development deals with friends of the McGuinty government are absolutely necessary to truly protect our environment; to control excessive, unnecessary development; and to maintain the way of life our many smaller communities are used to.

I was a Stoney Creek councillor when the amalgamation of our many unique greater Hamilton area independent municipalities took place. It was an imposition at the time. It was not sought after by our communities, which cherished their small-town lifestyles. Even through the community held a referendum against it, it was still imposed on us. That was done by the Harris government,



and the same thing is now being done by the McGuinty government, who criticized them at the time.

Other communities have been ravaged by imposed changes to lifestyles they specifically chose, and never get to be heard or to have their day in court.

When will the McGuinty Liberals finally take real steps to protect ever-more-fragile environments in this province?

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Garfield Dunlop:** I'm pleased to listen to the comments. I know that you brought a lot of comments out yesterday that your colleague from Beaches–East York had mentioned as well. Those are of great concern to myself.

I had some meetings with individuals on the minister's zoning orders as well. It doesn't seem to be something that was properly consulted on, and suddenly it just appeared out of nowhere in the Bradford West Gwillimbury area. So there are definitely deep concerns with the general population down in that area.

But it goes right back to what I was talking about in my comments a little earlier, and that is the fact that we've got this vision of growth for Simcoe county. How are we going to distribute the population growth of an additional 240,000 or 250,000 people in Simcoe county over the next 20 years? Here we've got, it looks like, some preferential treatment being taken at one corner of the county—fast-tracking projects or fast-tracking development opportunities—whereas we have communities at the north end of the county that are ready to grow. They have the sewage capacity; they have the professional capacity to look after growth in a very environmentally friendly manner, and yet they're almost being limited to no growth. It's almost pathetic what has happened to Midland and Penetanguishene. When you look at the data out of the growth plan, basically they've been left out of the growth plan, and they're part of Simcoe county. Barrie gets it all. It looks like Bradford West Gwillimbury is going to get a large portion of it.

As we move forward, there are a lot of questions. I'm sure you will recall that starting next week, the minister is to be at estimates for 15 hours, and I'm sure he will be able to answer all those questions you brought up today in debate and the questions I'm going to ask in debate in a very orderly manner and we'll have full answers to those questions.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Peter Kormos:** Well, it was a delight and a pleasure to sit here and listen to the comments by my colleague Paul Miller, the member for Hamilton East–Stoney Creek. He has delivered a succinct and effective argument which demonstrates that this bill, this legislation, is indefensible and that it is the utilization of a sledgehammer rather than encouraging collaborative relationships between Innisfil and Barrie.

So I'm pleased with Mr. Miller's contribution. You might notice that he probably does more House duty than

any other member of the NDP caucus. He loves it in here. He begs other people to give him this House duty because he wants to be on his feet addressing these issues. He's an enthusiastic debater, and sometimes we get frustrated with him because we want to be here too, but no, Miller just shoves us aside and says no, that he, Paul Miller, from Hamilton East–Stoney Creek, is going to address this issue.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

Seeing none, the honourable member for Hamilton East–Stoney Creek, you have up to two minutes for your response.

**Mr. Paul Miller:** I don't know what to say, Mr. Kormos. I don't know whether he is complimenting me or setting me up, I'm not sure, but he definitely puts the limelight on me. I don't know if that's good or bad sometimes. I appreciate his comments, and I'm sure they're heartfelt.

You know, this is almost like an instant replay for me. I saw this happen back when Dundas, Flamborough, Stoney Creek and Glanbrook were amalgamated by the city of Hamilton. The transition was tough. A lot of people were not happy with it. A lot of our resources from the outlying towns were gobbled up by the city of Hamilton, including our financial. We were in good shape, and we were hoping that the money that they took from our community would come back to our community, but it went elsewhere. So we lost tens of millions of dollars from the city of Stoney Creek that was spent in other areas, not coming back to the taxpayers who actually paid for it. That was very, very disheartening, and I don't think the management of the resources that they exhumed from outlying areas was fairly proportioned. But that's an ongoing—it's still a sore spot with some of the people but, you know, time is a healer and we have to move on. That's the situation.

But you'd think after that lesson that the governments had faced, when people were so adamantly against amalgamation in more than one place in this province—I believe we live in a democracy, and I believe when you have a referendum, that sends a message to the government. I think ours was 78% or 81% against. We were just steamrolled, ignored, and the government of the day went ahead and did whatever they wanted. That's unfortunate.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

Seeing none, Mr. Watson has moved second reading of Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. Carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Shall the bill be ordered—

**Interjections:** No.



**The Acting Speaker (Mr. Jim Wilson):** All those in favour of the bill being—

**Hon. Brad Duguid:** Shall the bill be read a third time? Is that what you're saying, Mr. Speaker? I'd ask that the bill be referred to the Standing Committee on Justice Policy.

**The Acting Speaker (Mr. Jim Wilson):** Agreed that the bill be referred? So ordered.

Orders of the day.

**Hon. Brad Duguid:** I'd ask for a recess until question period.

**The Acting Speaker (Mr. Jim Wilson):** Agreed. This House stands in recess until 10:30 a.m.

*The House recessed from 0950 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. David Zimmer:** It's with great pride that I would like to introduce the mother of Willowdale page Hafiz Kanji: Nevin Kanji, who is here. Welcome to the Legislature. I know you're very proud of your son.

**Ms. Cheri DiNovo:** It's an absolute pleasure to welcome some visitors from Spain: Angela Aisa and Natalie Monforte. They are from the Institute of Secular Missionaries in Spain. As well, Shannon Hogan from OECTA and Pam Bond are here. Welcome to Queen's Park, ladies.

**The Speaker (Hon. Steve Peters):** On behalf of page Samaa Bandi and the Minister of Citizenship and Immigration, we'd like to welcome Parvez Bandi to the public gallery today.

On behalf of page Jacquelyn McLaurin and the Minister of Culture, we would like to welcome her father, Don McLaurin, and her mother, Joanne McLaurin, to the galleries today.

On behalf of the member from Kitchener-Conestoga, we would like to welcome, in the east members' gallery, Brian O'Heron, Cathy Brothers, Joe Brothers and Andrew Wilding from the Catholic family counselling service.

## ORAL QUESTIONS

### TAXATION

**Mr. Tim Hudak:** A question to the Acting Premier: Yesterday, the Premier said he couldn't answer even the most basic questions about locking in the HST tax hike for five years. Deputy leader, are you kidding me? Why is the Premier saying that he hasn't even read the HST deal that your government signed?

**Hon. Dwight Duncan:** In fact, the Premier is well familiar with the details in the agreement. When the federal government asked for those provisions, it was because they are providing \$4.3 billion to Ontario. Mr. Flaherty and I signed the agreement, and it's been online since budget day.

It speaks to the importance of harmonizing taxes, and it speaks particularly to the fact that one of the real challenges and advantages of this is that there will be a single tax collection agency instead of two now, and that will be the Canada Revenue Agency. So the rate can be amended by 2012, the tax itself can be disposed of by 2015, or a party could rip up the agreement if they wanted to. Our position is this: It's the right—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Tim Hudak:** These were the most basic questions that the Premier couldn't answer from the media yesterday. The HST tax grab deal you signed is not a complicated legal document. It's in fact four pages long, written in very plain English. It is, at the most, a five-minute read. It is absolutely absurd for Premier McGuinty to say to Ontario families that he has not read the details of this locked-in \$2.5-billion tax grab. I say to the minister, either Premier McGuinty is completely asleep at the switch or he's trying to bury the details: Which is it?

**Hon. David Caplan:** That's why it's on a website.

**Interjection:** It's buried on the website.

**Hon. Dwight Duncan:** It's buried deep on the website, buried deep in the Minister of Finance's budget documents. No, it's quite the opposite. We have a Premier who's taking a leadership role in ensuring that this economy comes out of the downturn it's in, and when it does, we're going to grow bigger, we're going to grow faster and we're going to grow stronger.

Speaking of buried information, I had the chance last night to look at Jim Flaherty's second economic update from June 2009, and here's what the federal Conservative finance minister says: "Harmonization of Ontario's sales tax with the goods and services tax under the harmonized sales tax framework will ... reduce taxes on businesses, ensuring that they can thrive and generate jobs for Canadians." I'm with Mr. Flaherty. At least he's consistent. At least he's clear—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Tim Hudak:** Ontario taxpayers just cannot believe that the Premier of the province of Ontario has not read the four-page HST deal that he has signed. It just isn't credible. The Premier was asked basic questions about locking in and he hove them off to the finance minister; he couldn't answer simple questions. I say to the minister, there are restaurant menus that are longer than this agreement. So did the Premier sign this deal to bring in a massive tax grab on Ontario families? Did he read it or did he not?

**Hon. Dwight Duncan:** It's interesting how the Leader of the Opposition hasn't asked this question before today. I wonder if he has read the agreement. I applaud any journalist and anyone who looks deep and asks tough and difficult questions. What we can't applaud is somebody who says, "I agree there's little sense in allowing two separate governments to apply two separate taxes and policies and collect two separate groups of sales tax—"



**Interjection:** Who said that?

**Hon. Dwight Duncan:** Tim Hudak, September 23, 2009.

Premier McGuinty is making the tough decisions, working with Ontarians to help grow this economy, to produce jobs, to lower business costs and ensure that our children and grandchildren have a better future. I stand behind that, this government stands behind it, and the people of Ontario will stand behind our Premier.

## TAXATION

**Mr. Tim Hudak:** It's sad that Dalton McGuinty could turn ideas introducing red tape into a massive tax grab on the backs of middle-class families and seniors. It's going to hurt families, it's going to kill jobs and move Ontario even further backwards than Dalton McGuinty has already done.

*Interjection.*

**The Speaker (Hon. Steve Peters):** I'd just ask the minister to withdraw the comment. Stop the clock.

*Interjection.*

**The Speaker (Hon. Steve Peters):** Continue.

**Mr. Tim Hudak:** The Premier should know that right there on top of page two of his agreement it says that Ontario agrees to remain a party to the Canada-Ontario HST deal for a period of at least five years following imposition.

Clearly, the Premier must have known there was a poison pill in this deal all along. People with car loans can say how long they're making payments. The Premier just doesn't want to answer to the facts about the bad deal he signed. Why should taxpayers believe anything this guy says about this—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Dwight Duncan:** I want to remind the member opposite that in fact this is a tax-cut package. It is a tax-cut package for low-income Ontarians. It will reduce the cost of doing business in Ontario. I just—

*Interjection.*

**Hon. Gerry Phillips:** They don't want to hear that, I guess.

**Hon. Dwight Duncan:** They don't want to hear it. And it's hard for anybody to hear what we're saying over the sucking and blowing we're getting from that side of the House on this issue—

*Interjection.*

**The Speaker (Hon. Steve Peters):** The member from Renfrew.

**Mr. John Yakabuski:** He can't make up his mind.

**The Speaker (Hon. Steve Peters):** The member from Renfrew, I can accept some occasional heckling across the floor, but with the constant heckling, it gets a little difficult to hear the honourable member.

Minister?

**Hon. Dwight Duncan:** I agree with the Toronto-Dominion report that was released this week that says the harmonized sales tax "should help spur business invest-

ment, employment and income growth. Businesses may emerge from the recession lean, but the tax policy will ensure they are ready to compete."

That means they'll create jobs. That means they will employ more Ontarians. That means we'll get out of the downturn faster. This government has a plan; that leader and his party have no plan.

1040

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** I think, as you know, in the finance minister's own budget documents it shows that this is a \$2.5-billion tax grab on the backs of Ontario families and seniors. They know what this is: another greedy Dalton McGuinty tax grab.

As the minister knows, the Canadian Federation of Independent Business is very concerned also about the tax remittance scheme and the bureaucratic confusion that your HST tax grab is going to cost. Small businesses will no longer receive the remittance for collecting your tax, making tough times even harder. So, to the minister: Why is the Premier saying Ontario's small businesses are behind the HST when in fact, they are not?

**Hon. Dwight Duncan:** There's a list. I'm going to ask my colleague the Minister of Revenue to review with my colleague some of the groups that are supporting this initiative.

**Hon. John Wilkinson:** I'm delighted to say—

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** I guess, just like the Premier couldn't answer basic questions about the deal he signed, the finance minister can't answer basic questions about the Canadian Federation of Independent Business's concerns. We know that this is not a new issue for this Premier, the Premier who said he wouldn't impose taxes and brought in the biggest tax hike in the history of the province of Ontario. This sales tax grab is the exact same story. In 1999, Premier McGuinty said, "All of the information I have received tells me harmonization of the two taxes would lead to a net increase of taxes in the province of Ontario"—Dalton McGuinty's exact quote.

The only reason Ontarians are facing this greedy sales tax grab today is because Dalton McGuinty signed this deal with a five-year poison pill. How is it possible that the Premier can say that he has no details about this deal when it's his fingerprints all over this greedy tax grab?

**Hon. Dwight Duncan:** What we can say with certainty and clarity is that 93% of Ontarians will receive a personal tax cut. We will cut our lowest-income tax bracket by 17%, making it the lowest in Canada. Some 90,000 low-income Ontarians will no longer have to pay personal income tax. We're providing a permanent \$260 sales tax credit for every low- and middle-income adult, child and family in Ontario.

We are clear in our position. We affirm our position and are supported by the chamber of commerce and a range of other groups that came out just this week as a part of a new group that's going to advocate the importance of this, joining Mr. Flaherty and joining the federal



Conservatives. The only question that hasn't been answered is, "What is your position?" One day you're going to get rid of it; the next day you're not; then you're going to cut the rate.

Ontarians demand more from their government, from their political parties. This party is taking a stand. We're leading to get this economy rolling again, get it moving and growing faster. That man, that leader and his party—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### TAXATION

**Mr. Michael Prue:** My question is to the Minister of Finance. Day after day, the government justifies the HST by pointing to the contribution it will make to job growth. But according to a report by the Ontario Chamber of Commerce, the HST is a job killer. In fact, the chamber finds that the HST will mean up to 40,000 fewer Ontario jobs each and every year. The chamber says that the HST will kill jobs, but the government says otherwise. Who is telling the truth in this scenario?

**Mr. Rosario Marchese:** Somebody isn't.

**Hon. Dwight Duncan:** And it's sitting over there.

I would invite you to speak to the chamber of commerce and their president, who just joined the coalition this week to advocate that this tax is important to create jobs. You can take things—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Member from Hamilton East.

**Mr. Paul Miller:** No jobs—

**The Speaker (Hon. Steve Peters):** The same reminder that I gave to another honourable member, I will also give that reminder to the member from Hamilton East—Stoney Creek.

Minister?

**Hon. Dwight Duncan:** I remind him that, in addition to Mr. Crispino's comments this week and the work of the Ontario chamber in promoting this, TD this week said that this initiative "in turn should help spur business investment, employment and income growth."

I'll remind him what Jayson Myers, president of Edson Packaging and chairman of the Canadian Manufacturers and Exporters of Ontario, says: "Create jobs for the future." That's what this policy will do. They're telling the truth; I question others.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Michael Prue:** The minister can say anything he wants about other groups, but the minister cannot refute the chamber's claim that the HST will kill up to 40,000 new jobs every year. Yet the Premier, his ministers, backbenchers and government websites continue to proclaim, I think disingenuously, that the HST will create jobs, a claim that is completely undermined by the facts. Why won't the minister tell Ontarians the plain and simple truth: that the HST itself is a job killer?

**Hon. Dwight Duncan:** The HST is not a job killer; it creates jobs. The chamber itself had acknowledged that,

both through their president and others. My colleague opposite is simply twisting numbers out of context. That's been verified to us.

That party is still advocating an increase in the provincial sales tax. They haven't renounced that policy yet. I'll remind him that we have a letter signed by the leader of that party at the time asking if we would raise the PST by 1%. I wonder if that is still the policy of that party. I wonder if they could clarify that for us.

We've laid out a plan that will create jobs, improve investment and help get this economy back on its feet.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Michael Prue:** The government knows the HST is a job killer but insists on spinning a yarn to Ontarians about their new policy. The chamber report noting that the HST will kill up to 40,000 jobs is quite specific. They say that every year the HST will kill 2,300 manufacturing jobs, each year the HST will kill 2,600 jobs in the accommodation and food service industry, and they say 1,100 fewer construction jobs will be created.

If the minister disagrees with the chamber, will the minister table his own numbers to prove his own position, that this will create jobs, or does he have other numbers that confirm what the chamber is saying?

**Hon. Dwight Duncan:** The member conveniently ignores two facts. One, there are very substantial tax cuts that are accruing to businesses in addition to the harmonized sales tax. Again, the leader of that member's party, according to the chamber, of course took the paragraph in it out of context. The report explicitly states that the level of employment does not decline as a result of tax reform. Why wouldn't you give all the details from that report? Why wouldn't you disclose that, I say to the member? I will stand up and openly defend the policies of this government.

Frankly, the NDP are being disingenuous in misquoting and taking out of context the very good work and hard work done by thousands of members of the Ontario Chamber of Commerce.

### MINISTER'S RECORD

**Mr. Peter Kormos:** To the Minister of Health: This minister has his fingerprints all over scandals at eHealth, OLG and the London Health Sciences Centre. Why does everything this minister touches turn to scandal?

**Hon. David Caplan:** I disagree with the member opposite. If you look, the Ombudsman of this House pointed out and commended me for the quick action taken to deal with insider wins at OLG. In fact, it has been the quick action I have taken to call in the Auditor General and have him get to the bottom of these matters.

I wonder why the member does not have confidence in the Auditor General of the province of Ontario. I know that he will be issuing his report in a few short weeks. It will be subject for review by members of the public accounts committee. I have full confidence in the independent officer of this Legislature to be able to lay the



facts upon the table and make recommendations about ways that we can ensure value for taxpayer dollars.

That's what members on this side of the House have done, will do and will continue to do as we work forward to deliver better—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Peter Kormos:** Insider wins at OLG; untendered contracts at eHealth; questionable spending practices again at OLG; an untendered electronic health contract at a London hospital: This minister has experience with games of chance. What are the odds that growing scandals under his watch are merely a coincidence, or are they an example of his gross incompetence?

1050

**Hon. David Caplan:** I disagree with the editorial comments of my friend opposite. He's entitled to his opinion, but he's not entitled to his own facts, and the facts are quite different from what the member presents. In fact, Ontarians expect that their tax dollars be properly invested in good government policies and services, and that's what this government has done.

The member laughs, but we've hired 10,000 nurses in the province of Ontario. The member opposite from Welland was part of a government that fired 3,600 nurses. The member opposite would have to acknowledge that we have hired 1,700 additional doctors in the province of Ontario. The member opposite was a member of a government that cut medical school spaces, creating a doctor shortage in the province of Ontario.

Of course, I do acknowledge that they have nothing on the official opposition, who closed 2,800 hospitals and fired 9,600 nurses in the province of Ontario. But that's why we have spent so much time investing in our health care—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Peter Kormos:** This minister huffs and puffs and beats his chest, but the trail of evidence is clear. As the scandals mount, when is he going to realize that he's just not up to the job?

**Hon. David Caplan:** My friend opposite can issue childish taunts. I know he was previously supposed to be in charge of bringing public auto insurance into this province. Of course, I know he was fired from cabinet for his failed efforts, and that's regrettable.

I stand behind the record of achievement, that we have seen in this province, of increased investment, expansion of services, and finally an aging-at-home program in this province. Those are real measures which have brought improvement and progress to our health care system. Surely the member opposite has more to offer than this childish nonsense approach that he has brought.

I challenge the member to tell me what his ideas are to improve health care in Ontario. So far, in the six years that I've been on this side of the House, I have not heard anything. I'm not—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## TAXATION

**Mrs. Julia Munro:** My question is for the Acting Premier. The Canadian Federation of Independent Business is Canada's largest advocate for small and medium-sized businesses. These aren't CEOs earning seven-figure salaries. They are the mainstream businesses that are the lifeblood of communities throughout Ontario. The CFIB today released a survey telling us that small business believes that the McGuinty government "dropped the ball" in imposing the HST. Why is the Premier saying that businesses are in favour of his HST scheme, when they aren't?

**Hon. Dwight Duncan:** To the Minister of Revenue.

**Hon. John Wilkinson:** We want to thank the CFIB for their report today, because what it shows is that small business needs to understand, and we have to do a much better job of explaining to them, our tax reform package. I understand why they have concerns, but when they find out that we are cutting the small business tax rate by some 18% and that we're eliminating the small-business surtax, they'll be saying, "Oh, that's the other side of the story." So it is important on this side of the House not to tell just half a story but the whole story.

That's why we're going to work closely with the CFIB, to make sure that their members get the information they need so that when we implement the largest tax reform package in some 40 years, their members will have the information they need so that they can continue to serve their consumers.

When they learn about our tax reforms in regard to personal income tax, they'll see the support we've received that allows us, working together with the federal government, to support consumer spending next year, in a year of transitions, a year—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Julia Munro:** Again for the Acting Premier. Let me quote from the CFIB survey of small businesses: "At a time when consumers have seen their savings wither away, additional taxes on some goods and most services are another reason to stop them from opening their wallets."

Why is Premier McGuinty saying that these business people are clamouring for this tax when the exact opposite is true?

**Hon. John Wilkinson:** That's exactly why we were able to reach a historic agreement with the federal government to provide some \$4.3 billion for that first transitional year. We understand that it is a year of transition, that the tax cuts people will receive and that businesses will receive and the fact that the market over time, as TD has said, will reprice some 85% of those savings to be passed on to consumers within the first year—that in that first transitional year we need to use that money from the federal government for what it's intended: to support consumers. That's why individuals—single tax filers who have an income of less than \$80,000—will receive some \$300 dollars tax-free by way



of three cheques, and families with a combined income of less than \$160,000 will receive some \$1,000 tax-free. A thousand dollars is 8% on \$12,500 worth of purchases. That's on top of the permanent tax cuts that people will receive. Some 93% of Ontarians—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### SKILLS TRAINING

**Mr. Rosario Marchese:** To the Acting Premier: Yesterday, when I asked your Minister of Training to explain the capping of the Second Careers program in Hamilton, he said the following: "What the honourable member is saying is wrong. We have not closed the doors on Second Career."

For your information, on September 14, the Ministry's Hamilton office sent an e-mail to all the Second Careers brokers in Hamilton stating the following: "We are at capacity for September and so we will not be able to accept any more client files seeking September starts."

Either Minister Milloy does not know what his ministry is doing or he is turning a blind eye to this cruel and insensitive treatment of unemployed men and women. Which is it?

**Hon. Dwight Duncan:** I ask the member, which is it? You voted against the program. You voted against it, and then, when we set it up, you complained and you said it wasn't successful. Let me talk about my colleague—

*Interjection.*

**The Speaker (Hon. Steve Peters):** I just would ask the honourable member from Renfrew to withdraw his comment.

**Mr. John Yakabuski:** Withdraw.

**Hon. Dwight Duncan:** My colleague the minister implemented a program that was designed to serve 20,000 people over three years. We're at 17,000, and we've provided 5,000 additional spaces to serve 25,000. We are going to review it now to make sure we're getting it right, to make sure we're serving people, to make sure we're hitting the right people who need the service. This program has been an overwhelming success. I'm glad we did it. I only wish the member opposite would have voted for it and supported the program early on when we were setting it up instead of constantly, constantly saying it wouldn't work.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Rosario Marchese:** This Second Career has been a mess for two years—two long years. It's not just that your government capped the number of applications. What he did was worse. Applying for Second Careers is not easy. It's a demanding and time-consuming process. It's emotionally exhausting. These people did everything that was asked of them, and then your ministry shut the door on them. You can't change the rules in the middle of the game. There is a level of incompetence here that is unacceptable. When is someone going to take charge of this ministry and deliver the program that these men and women need?

**Hon. Dwight Duncan:** We are delivering the program, and we've been overwhelmed by the response. Because of that, we've increased the funding to provide 25,000 spaces instead of 20,000 spaces. I don't think it's a mess at all. I think our colleges are doing a wonderful job. I was just at my own college in Windsor, and the work they're doing with the CAW has been enormously helpful on this program. Getting their workers in training is one of the most significant things I've seen in terms of helping those people, particularly older workers, get retraining and new careers. This program is not a mess; it's an overwhelming success. We just put another 5,000 spaces. We are looking at it hard to make sure we get it right so we can build on that success and help the unemployed get back to work in a bigger and better and stronger Ontario economy.

### PUBLIC TRANSIT

**Mrs. Laura Albanese:** My question is for the Minister of Transportation. As you are aware, the Minister of the Environment is now in the process of reviewing the environmental projects report for the Georgetown South service expansion and the Union-Pearson air-rail link submitted by Metrolinx and will make his decision soon. In the meantime, however, some of my constituents in York South-Weston have expressed their concern regarding the planned GO station facility in Weston. Specifically, they worry that once the Eglinton LRT is established, the Weston GO station will be shut down. Can the minister assure us that the planned GO station facility in Weston will not close down once the Eglinton LRT is established?

**Hon. James J. Bradley:** To ensure that the public was heard in the Georgetown South service expansion and the air-rail link project, Metrolinx held more than 30 community open houses, met with numerous community groups and held online consultations through the environmental assessment process. More than 3,000 people participated by asking questions of or leaving comments with the project's technical team.

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Metrolinx heard a message that was loud and clear from that MPP for York South-Weston and from members of her community: that a stop at Weston is absolutely crucial. I'm pleased to confirm once again that such a stop is a direct result of the concerns heard by people living in the Weston community and the advocacy of the MPP on their behalf. There is no plan in place to close down this stop once the Eglinton LRT—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Laura Albanese:** The community will be reassured by that.

I have met with a number of constituents on this matter. My office has been receiving many e-mails, phone calls and correspondence asking about the Georgetown South service expansion and the air-rail link project. One of the concerns that has been mentioned to me is that the



project report submitted by Metrolinx does not go into detail regarding increased service for the constituents of York South–Weston. Some of my constituents worry that they will not benefit from the increased all-day GO service.

Can the minister assure the residents of York South–Weston that they too will benefit from all-day GO service?

**Hon. James J. Bradley:** I'm pleased to have the opportunity to talk about Metrolinx's plan for the Georgetown South corridor and the air-rail link. GO trains in the Georgetown South corridor are currently operating at capacity, and with the cost of congestion to the greater Toronto area estimated at about \$6 billion a year in delays and lost economic opportunities, creating all-day GO service along the Georgetown corridor will get people out of their single-occupant cars and onto public transit. This includes those living in York South–Weston. With a stop at Weston, they too will benefit from increased all-day GO service. In fact, the expansion will take 18 million car trips off our roads in the first year alone, 2015, and when the new line is mature, it will take 52 million car trips a year off our roads, and therefore ensure that we're making a benefit for the environmental situation—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### ONTARIO LOTTERY AND GAMING CORP.

**Mr. Peter Shurman:** My question is for the finance minister. Last week, you said you couldn't answer questions about how much money the McGuinty Liberals blew on the Windsor Energy Centre because of all the lawsuits and police investigations. That ended up not being accurate because, after a week of searching your briefs, you did release some information.

Now that a precedent has been set, will the minister explain why a casino owns a power plant?

**Hon. Dwight Duncan:** What I said last week was in response to a question around a specific lawsuit. The member asked legitimate questions about whether or not the information was available, and it was, in public accounts. The member has access to that. I welcome those kinds of questions. I think they're legitimate. They're the same kinds of questions I think all of us need to be asking.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Peter Shurman:** It sounds to me like the finance minister lost yesterday's briefing book and he's back to the one he was using last week. It just isn't credible for this minister to pick and choose the days that a lawsuit prevents him from answering questions of public interest.

If the casino doesn't own the energy centre project, then who or what is the Casino Windsor that issued the request for proposal?

**Hon. Dwight Duncan:** Again, there is a lawsuit that disputes the ownership. The member is accurate about

that. It's been filed by the contractor that developed it, so it is difficult to comment on that.

But what I will refer the member to again, as I did yesterday, is public accounts 2007-08, pages 2-99 and 2-98. The details are there as to the position of the Ontario Lottery and Gaming Corp. at the time. It outlines that it was not in fact a part of the casino expansion project itself. As I say, OLG is defending a lawsuit on the specifics of the ownership question. I don't want to comment on that, but I would refer the member to those pages in public accounts again.

#### PENSION PLANS

**Mr. Paul Miller:** My question is to the Acting Premier. It has been 10 long months since the government's Arthurs pension commission delivered its final report to the government. One of its key recommendations was to increase the monthly pension benefits guarantee by the pension benefits guarantee fund to \$2,500 a month.

When will this government introduce legislation to implement this key Arthurs recommendation, along with the many other important recommendations contained in his report?

**Hon. Dwight Duncan:** First of all, there are 144 recommendations in the Arthurs report. I've indicated publicly that this will require, I believe, two pieces of legislation. The first piece will be introduced this fall; the second piece will likely be next spring.

The government will act or not act on recommendations. The member's right: Mr. Arthurs does recommend raising the PBGF guarantee. Mr. Arthurs also recommends that premiums increase for both employers and employees. So this is a complicated issue that we have to look at seriously.

We've taken the recommendations. We've gotten responses from both labour and management across Ontario. We will bring forward legislation. That legislation will be subject to further discussion at that time. So the member can expect, I think, one piece of legislation this fall and another piece next spring.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Paul Miller:** The minister so far has refused to increase the monthly benefits guarantee fund to \$2,500. As we speak, the pensions of tens of thousands of hard-working Ontarians are hanging in the balance. Pensions are in danger at Ford, Nortel and many other smaller companies across this province. The minister knows that if this government rejects the Arthurs recommendation to increase the monthly guarantee to \$2,500, he is rejecting the heart and soul of the Arthurs report.

I will ask the question again: When will this government table legislation to increase the monthly pension guarantee to \$2,500 as recommended by Mr. Arthurs?

**Hon. Dwight Duncan:** One of Mr. Arthurs's other recommendations was to do an actuarial study of the PBGF itself. We are doing that; it is under way. The important question for those thousands of people and their



pensions—and, by the way, there are tens of millions more who don't have a pension—is, how do we fix this?

I'll remind the member that successive governments of all political stripes did not properly fund this. I believe this is the type of issue that we have to approach very seriously and diligently. I would caution against a broad sweep about all kinds of pensions. There have been significant improvements in a number of pension plans and significant negotiations going on on some others. But, indeed, we have to look at these issues, and this Legislature has to honestly confront the difficult questions around the pension benefits guarantee fund.

**The Speaker (Hon. Steve Peters):** New question.

### TAXATION

**Ms. Sophia Aggelonitis:** My question is to the Minister of Revenue. Minister, my constituents are saying that they're only hearing half the story on the HST. While some people are out scaremongering, focusing on coffee and doughnuts, the facts are being ignored. For instance, TD Bank released a report last week outlining the effect the HST will have on Ontario's economy. It states that harmonization will increase Ontario's competitiveness, saying the HST "should help spur business investment, employment and income growth."

Minister, who's telling the truth here, those who are telling only half the story or the economists at the Toronto Dominion Bank?

**Hon. John Wilkinson:** I want to thank my colleague for the question. I can assure you that, on this side of the House, our job is to tell the entire story—not half a story, but the entire story, the whole story.

We welcome the report by TD Economics about this. What they commented is that they believe, as many do, that this is going to be of benefit to our economy. What we need in this province is jobs in the 21st century. We're not going to be able to do that with a 20th-century tax system. That's why, on this side of the House, we are convinced that we need to reform our tax system so that we can have jobs in the 21st century. All members should believe, in my opinion, that that is a noble goal and something that we need to aspire to.

What other studies, including the TD report, have shown is that history is very clear in other jurisdictions, including in the Atlantic provinces, that investments in machinery and equipment went up and that prices actually went down. They went down because, under the package, you are eliminating a whole hidden layer of tax—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Ms. Sophia Aggelonitis:** The TD report also estimates that there will be a 0.7% increase in the consumer price index in Ontario. This will not be "as much as some may fear and will not have an enduring effect on the inflation rate." The report states that in Ontario's extremely competitive economy, business would pass through the majority of their savings to consumers. The report notes

that about 80% of the expected total cost savings to businesses will be passed along immediately in the first year the HST comes into effect. And TD estimates that pre-tax prices in Ontario will fall by almost 1%.

Minister, what does all of this mean for people who are looking for work in Ontario and also for consumers in Ontario?

1110

**Hon. John Wilkinson:** Consumers and people know that we need the private sector to rebound in this province. Despite the fact that we're faced with the largest economic downturn around the world in some 80 years, what we need is the private sector to engage.

Our tax reform is designed to spur on that confidence. Small business confidence, as a matter of fact, has risen in this province since the introduction of Minister Duncan's budget last spring.

The most important thing that people should know is that for those of us like the member who come from business, if you don't have the right price, you can't sell anything. Because prices are going down, because costs for businesses are going down, those who understand this will price accordingly. As a result, they will gain market share and those companies will thrive. Those who feel that somehow they can hang on to this, I think, are going to be treated poorly by the market.

That's why this package is designed to ensure that small businesses understand the new tax regime that's coming in and how that's going to spur on investment, as it has around the world.

### DRIVER EXAMINATION CENTRES

**Mr. Frank Klees:** My question is to the Minister of Transportation and it relates to a very disturbing report that two employees of Ontario DriveTest centres have been arrested for fraud relating to the creation of fraudulent identification.

The minister will know that in the 2005 auditor's report, the issue of security risks in DriveTest centres was raised. I quote the report: "The driver examination service provider was not complying with ministry security requirements when hiring staff who have access to confidential driver records, and the ministry had not developed adequate policies and procedures to deal with prospective and existing employees with criminal records."

My question to the minister: In light of the revelation that these fraudulent activities are taking place, can the minister advise us what specific steps the ministry took in response to the auditor's—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. James J. Bradley:** Well, it's a very good question that the member asks. He was Minister of Transportation, so he knows some of the major challenges that are faced there.

First of all, the police have been very assiduous in carrying out their responsibilities. The Ministry of Trans-



portation staff have been working very closely with the police service to ensure that a proper investigation takes place. As you know, there is a screening of those employees. I guess we'd love to think that employees anywhere who provide services to people in this province or this country are all going to be honest. Unfortunately, there appear to be instances where that is not the case. The ministry has worked hard, along with Serco, to ensure that those who are hired by that particular company are screened appropriately.

Unfortunately, there are circumstances where people decide to break the law, and that is why we—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Frank Klees:** Detective Constable Michael Kelly said, "We have just touched the tip of the iceberg. This case goes a long way back and spreads quite wide." The Auditor General made very specific reference in his 2005 report to say, "We noted instances where staff had criminal records yet no action was taken, and, in 25% of the new-hire files we reviewed, the required criminal check had not been done."

Can the minister confirm for us that there are no staff employed at DriveTest centres with criminal records—that they have, in fact, done that research? And can the minister confirm that they now have the procedures and policies in place that will ensure that people with criminal records are not hired by DriveTest centres?

**Hon. James J. Bradley:** A thorough canvass is done of those who are part of that company that your government established a number of years ago, that it brought into effect. I think you put some rules in place at that particular time, and those rules have been adhered to as closely as possible.

What I can tell the member—and he was supportive of this and I appreciate that—is that we are implementing photo comparison technology, which is a proven technology that will help combat driver's licence fraud and address the identity issues that are there. That's going to be a major step forward to prevent the fraud that has alleged to have taken place. The member would know, as the Attorney General would caution me, that I cannot speak specifically to this particular case, but I can assure him that ministry officials are working very carefully with police services to ensure that we are working hard to make sure that there is not this kind of fraud taking place on a widespread—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### AIR QUALITY

**Ms. Cheri DiNovo:** My question is to the Minister of Transportation. This Saturday, thousands of supporters in the Ontario Clean Train Coalition will be marching against this government's plan to run over 400 dirty diesel trains through our communities. The Clean Train Coalition is making a simple demand: clean electric transit that will protect the health of residents as well as

the health of the environment. Why won't this government immediately electrify these trains instead of imposing health and environmental costs on all Ontarians?

**Hon. James J. Bradley:** I think, first of all, the member would be well aware that by taking thousands upon thousands of vehicles off the road, vehicles that are causing much pollution in our province, that was a major step forward in clearing up the air. That is the purpose of public transit: to take many of those vehicle trips off the road to clear the air.

The member would know as well that Metrolinx is conducting a study on electrification. They are not ignoring it; they're conducting a study on electrification. They've put together a team of people, including advocates from the area and top medical and technical people, to frame the parameters of that study, because it's not a matter of "if electrification"; they want to be involved in electrification and they want to do it appropriately. I think this committee will come up with some excellent recommendations.

**The Speaker (Hon. Steve Peters):** Supplementary.

**Ms. Cheri DiNovo:** Actually, the diesel trains will produce more pollution than the cars they're replacing, and studies have shown that.

This government continues to deny the environmental and health concerns that diesel trains pose. Indeed, in a recent statement, the Metrolinx chair misinterpreted Toronto's medical officer of health. In his revised statement, Dr. McKeown said that he remains "concerned about the air quality impacts and increased health risks predicted for the immediately adjacent communities as a result of the proposed diesel expansion."

The question, Minister, is not about trains; it's about electric versus diesel. Hundreds of residents and thousands of Ontarians will be protesting. That is the feedback that Metrolinx has received. Why do you continue to ignore all of these constituents?

**Hon. James J. Bradley:** I just explained to the member that Metrolinx is not ignoring them. In fact, they have undertaken a study. They didn't simply pick people from outside the area; they picked people who reside in the area, those who have been advocates. They picked people of medical prominence and people of highly scientific and technical prominence to be on the committee for electrification, looking at the parameters of that electrification study.

I cannot agree with the member when she talks about how what is being proposed is not as damaging as all those vehicles. I have to tell her that there are millions of millions of vehicles—and your critic in the environment knows this to be the case—millions of vehicle rides will be taken off the roads as a result. That will improve the air tremendously. So the member is not being accurate in her assertions.

#### DISASTER RELIEF

**Mrs. Carol Mitchell:** My question is for the Minister of Community Safety and Correctional Services. Minis-



ter, as you know, on August 20, a tornado touched down in neighbouring Grey county, leaving property damage and tragedy behind. A state of emergency was declared. Homes and businesses were devastated. Families were displaced from their homes as the damage was so severe, in some cases, that it needed significant rebuilding and repairs. A number of communities were hit by tornadoes that day, and all of the affected communities have undergone massive clean-up efforts in the aftermath. Everyone in the affected community has been working very hard to rebuild what they have lost. Not only local officials but businesses and community people have come together to help their friends and neighbours.

I would ask the minister, how did Emergency Management Ontario provide support to the—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

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**Hon. Rick Bartolucci:** I think I speak for everyone in the House when we offer our condolences to the family and friends of the young boy who was killed in the tornado. Obviously our thoughts are with those who experienced the force of nature with those very, very violent storms.

Emergency Management Ontario's 24-hour provincial emergency operations centre monitors evolving situations across Ontario. In the case of these storms, EMO field officers were deployed within hours to Vaughan, West Grey and the Town of Blue Mountains. The Ministries of Natural Resources, Municipal Affairs and Housing, Agriculture, Food and Rural Affairs and the OPP all provided assistance to help them get through this particular devastating occurrence. And I want to—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Carol Mitchell:** While many communities and individuals do their best to cope with natural disasters, they are a strain, certainly, on the municipal budgets, and often overwhelm the ability of local officials. As well, those who cannot afford insurance are left to cope with severe property damage and loss, with minimal ability to cover these costs themselves.

This summer, a number of Ontario communities were faced with natural disasters that stretched municipal budgets and tested the strength of their communities. Last spring, many of our communities coped with rivers overflowing as the ice and snow of the winter melted away, causing flooding and damages to homes and public spaces.

I understand that the province has a fund called the Ontario disaster relief assistance program. For the benefit of all members of the House, could the minister please update the House on the request that he has received on the recent—

**Hon. Rick Bartolucci:** I'd like to refer this to the Minister of Municipal Affairs and Housing.

**Hon. Jim Watson:** The provincial disaster assessment teams were deployed within 24 hours to the affected communities. I want to thank the honourable member and the Premier for touring the site, as well as members Jim

Wilson, John Yakabuski and Bill Murdoch for their on-the-ground support of those particular communities. I also want to commend the mayors, councils and staff of the communities of West Grey, Mayor Kevin Eccles; the Town of the Blue Mountains, Mayor Ellen Anderson; the municipality of Grey Highlands, Mayor Brian Mullin; and Mayor Mary Campbell of McNab/Braeside.

Last week, I signed the appropriate documents to declare a disaster area for those four municipalities, and ministry staff are moving quickly to help those municipalities set up their disaster relief committees. ODRAP provides funding when damages are so extensive that they exceed the financial resources of the affected individuals, the municipality and the community at large. Council resolutions are required, which were—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### HOSPITAL SPENDING

**Mrs. Christine Elliott:** My question is for the Acting Premier. Yesterday, I asked the Premier a question regarding the untendered contracts that were let by the London Health Sciences Centre. The Premier pushed responsibility away from his government and from his Minister of Health, and called the issue a matter of local governance.

Well, \$3.3 million in untendered contracts were let, yielding paycheques for some of \$1,500 a day. And now that the situation has been uncovered, the priority for the London Health Sciences Centre seems to be to locate the whistle-blower.

Acting Premier, I would ask: Should this be the focus of the London Health Sciences Centre's efforts?

**Hon. Dwight Duncan:** To the Minister of Health.

**Hon. David Caplan:** Ontarians expect their government, their agencies and their institutions to use public funds prudently, and so do I. In this particular case, the rules were broken. They were caught by an internal audit and the hospital has cancelled the contract. That was the focus of the administration in London. They have done the appropriate thing: They have investigated the matter and have taken quick action to cover it.

Our government is about openness and transparency. That's why we made a number of changes around here. It was this government that expanded the role of the Auditor General. It's interesting to note that members opposite, when they were on this side of the House, refused to do so, and when they were in opposition, opposed these measures.

We've opened up our hospitals, our schools, our—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Christine Elliott:** I would say that I can agree with one thing the minister said, and the rest of it not so much. I would agree that this is at some point local, but it also raises very significant, serious questions that should be of concern to this government. The granting of these untendered contracts had been going on for some five years, and it wasn't until a whistle-blower came forward



only a few months ago that these events were brought to light. How could this happen? This is serious.

Furthermore, the fact of this contract being cancelled is something that we all know doesn't come without financial repercussions. You can't just snap your fingers and cancel a contract without something else adverse happening.

I would say to the Acting Premier, through you, Mr. Speaker, that you simply cannot take a hands-off approach and walk away from this mess. Ontarians want to know, what are this government and the Minister of Health going to do about this situation?

**Hon. David Caplan:** I think we've gone from the ridiculous to the sublime. The member is now suggesting that the contracts should not be cancelled, that the contracts that were entered into improperly should somehow continue. I don't know how the member opposite can make that kind of claim. I think it was because of the action of internal auditing and the process and control that exist within the hospital that these matters were brought to light and in fact were dealt with.

That's the approach this government has taken. In fact, expenses for OPS senior management, cabinet ministers, political staff and senior executives in Ontario's 22 largest agencies will be posted online no later than April 1. There is no more sole sourcing of consulting contracts. We want to ensure that we have the greatest value for dollars that taxpayers would expect.

We are setting a higher standard for everyone: for the Ontario public service—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### SKILLS TRAINING

**Mr. Michael Prue:** My question is to the Acting Premier. One of my constituents is in the gallery today and has sought my help in securing his assessment approval from the Ontario skills development program. He has missed the start date for a training program for which he is eminently suited because the skills development program stated that they, and I quote them, "did not anticipate the number of applicants." His employment insurance runs out in two weeks and he has yet to be assessed. This has taken more than two months.

Can the minister tell us how the Minister of Training, Colleges and Universities is expected to clear the backlog and get Ontarians, like my constituents who qualify, quickly into training programs they so desperately need?

*Interruption.*

**The Speaker (Hon. Steve Peters):** If you wouldn't mind just taking your seat, please. Thank you.

**Hon. Dwight Duncan:** To my colleague opposite and to the gentleman in the gallery: I appreciate your raising this issue. I'm obviously not familiar with the specific circumstances and will undertake, after question period today, to follow up.

I would say that yes, there are challenges. We are trying to serve an enormous number of people in an appropriate fashion across a variety of training programs.

Unfortunately, sometimes things don't go as smoothly as we would like. I will follow up on the specific case. Thank you for raising it with me, and I'll look forward, sir, to seeing you after question period.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Michael Prue:** Thank you very much, to the Acting Premier, for making that commitment, because the Acting Premier knows full well that a very large backlog exists. He stated so in this House today. He also knows that when employment insurance runs out, the only alternative that my constituent and thousands of others have is going on social assistance.

My question, and I don't know whether the Acting Premier can answer it because perhaps it does belong to the minister: Why is this minister prepared to allow thousands of Ontarians who want to work and be trained for good jobs to languish on yet another waiting list because he doesn't have the wherewithal to clear this backlog and get on with the job that's supposed to be done, getting people back to work?

**Hon. Dwight Duncan:** Obviously we want to get people who are eligible into these programs as quickly as possible. I undertake, in this instance, to follow up with that gentleman.

Also, the member is right from the broader public policy perspective, and we've had some success. I'd remind him, as I did earlier in question period, about Second Career, for instance. When we started out, my friend opposite was criticizing us because not enough people were in the program. Now we have what I would call an enormous challenge, and we're going to provide services for 5,000 additional people.

The administration of these programs is difficult, sometimes complicated, but I do undertake to work with the member on this specific case, and hopefully we can help this gentleman resolve the situation.

### ONTARIO PUBLIC SERVICE

**Mr. David Zimmer:** My question is for the Minister of Government Services. Last week, I read an opinion piece in the Toronto Star, and the piece commented on the rather low priority of staff diversity in the federal civil service. Minister, one of the areas that you're responsible for is the diversity office here in Ontario. What is the provincial government doing to ensure that our provincial civil service indeed reflects the diversity of Ontario?

**Hon. Harinder S. Takhar:** I want to thank the member from Willowdale for asking this question. I think this is a very important question.

Our government absolutely recognizes the importance of diversity in the Ontario public service. We have taken a lot of initiatives to make sure that our public service is inclusive and reflective and that all of our policies are equitable for the diverse population that we have in this province. I'm really pleased to say that for the last two consecutive years, in 2008 and 2009, the Ontario public service has actually won the award for Canada's Best Diversity Employers.



I'm also pleased to inform you that we have set up the diversity office in my ministry, the Ministry of Government Services, and we have—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. David Zimmer:** My riding of Willowdale is a diverse and vibrant riding, with many, many nationalities and new Canadians: Iranians, Chinese, Koreans—our newcomers to the province. I know that many of the newcomers in this province who are residents in Willowdale are particularly interested to know if there are any programs or special opportunities within the OPS for newcomers.

**Hon. Harinder S. Takhar:** I fully recognize that when newcomers come to this country, especially when they settle in the province of Ontario, we want to make sure that we can help them in any way we can, especially the professionals who come to this country.

We actually have a couple of very good programs, and I would like to talk to you about one, which is the internship program. This is a program that our government started in 2006. Under that, we provide experience to newcomers for about six months with the Ontario public service so that they can get the experience and the skills to be successful in finding jobs, either inside the public service or outside. This program has been very, very successful: 81% of the participants have indicated that they are very satisfied with this program. This is one example I can talk about that has really helped our new immigrants to get settled. It's important for them, but it's also important for our province to make sure—

**The Speaker (Hon. Steve Peters):** Thank you.

## ANSWERS TO WRITTEN QUESTIONS

**Hon. Monique M. Smith:** On a point of order, Mr. Speaker: Yesterday in this House, the member for Oxford and the member for Burlington raised points of order about questions on the order papers that were still outstanding. I just wanted to be clear: There was a problem with the order papers. In fact, the Ministry of Education had responded to the one question that was outstanding. The Minister of Agriculture had responded in an interim fashion to the questions that were outstanding and is working diligently to respond in a timely manner to those questions.

**The Speaker (Hon. Steve Peters):** The time for question period having ended, this House stands recessed until 1 p.m. this afternoon.

*The House recessed from 1133 to 1300.*

## MEMBERS' STATEMENTS

### PENSION PLANS

**Mr. Jim Wilson:** I rise to urge the government to act quickly to resolve an issue that concerns thousands of

public sector workers in Ontario, including a number of paramedics from Simcoe county.

As members will know from my private member's resolution debated on June 4, due to past divestments of provincial services, thousands of Ontarians have a split pension problem that will severely affect their retirement income.

In my riding, paramedic services were divested from the province to the county of Simcoe in the 1990s. At that time, paramedics were led to believe that nothing would change regarding their salaries, employment benefits or years of service. Although their pension plan changed from the hospitals of Ontario pension plan or the OPSEU pension trust to OMERS, there was to be no negative effect on their pension entitlements.

After the divestment, they discovered that they would receive two pension cheques when they retired, one for service with the government of Ontario and one for service with the county. The amounts that each of them will receive from their two pensions will not recognize their years of continuous service and will therefore cause them to receive a significantly reduced pension through no fault of their own.

The government's own expert commission on pensions recommended a prompt resolution to this specific problem, and so far the McGuinty government has been very slow to act. In fact, each time I've raised this through petitions and letters, it's been unclear what the government's position is on this matter.

Today in the House, the Minister of Finance said he would be bringing forward legislation to address the recommendations of the Expert Commission on Pensions, and I want to make sure he includes a solution that corrects the problems for paramedics in Simcoe county.

### FAMILY HEALTH TEAMS

**Mr. Jeff Leal:** Since 2005, Peterborough has been fortunate to have five family health teams. They run expertly under the direction of Dr. Don Harterre and Mr. Bill Casey. Their team, working with local physicians, pharmacists, nurse practitioners, dietitians and others, has created one of the most efficient systems for delivering health care in the province of Ontario.

In a report released last spring entitled *Teams in Action: Primary Health Care Teams for Canadians*, the Health Council of Canada recognized publicly the good work being performed by Peterborough's primary health care network. They were quoted as saying, "The Peterborough family health team model is an ideal way to deliver team-based health care services in Ontario."

Since 2006, more than 18,000 previously orphaned residents of my riding now have access to primary health care services because they've been affiliated with a family health team. Peterborough was chosen by Mr. John Abbott, CEO of the Health Council of Canada, from a short list supplied by the Ministry of Health and Long-Term Care because "their program impacted a large proportion of the population and they have well documented results."



Family health teams work. They utilize progressive services such as pharmacists prescribing drug reviews for newly hospitalized patients and the anticoagulation program for patients on blood-thinning medication.

I'd like to extend my congratulations to everyone in Peterborough working within the family health teams. This truly is a job well done and a remarkable development.

#### PORTUGUESE CANADIAN COMMUNITY

**Mr. Gerry Martiniuk:** I am proud to rise today to speak about my friends in the Cambridge and North Dumfries Portuguese community who are celebrating their arrival in Canada at the Portuguese Club of Cambridge on Saturday evening, September 26, 2009.

Together with my friend José Dias, I will present certificates to 24 immigrants who are celebrating 40 years in Canada and another 75 who are celebrating 50 years in our great community, province and country. These certificates recognize their hard work, determination and contributions to our community.

I am proud to say that the Portuguese community represents almost 15% of the population of Cambridge and North Dumfries. This celebration of their arrival in Canada is organized by Mr. Dias with the assistance of the club president, my friend Marina Cunha. The celebration commences with traditional Portuguese cuisine, followed by the presentation of certificates.

The Portuguese community in Cambridge and North Dumfries contributes to the rich history and culture that makes my riding the best community in Ontario to call home.

#### NATUROPATHIC MEDICINE

**Mr. Michael Prue:** I rise today to talk about the Ontario Association of Naturopathic Doctors, who are having a reception as I speak. I had planned on speaking about something else, but I was so impressed, over the last hour, with the men and women who were there advocating on behalf of their cause that I thought I would change what I was going to say today, and I have.

They are here to seek changes to the Naturopathy Act, which will come into effect in the year 2011, and they are here to talk about the need to change some of the powers under the regulations in order to give full scope and practice to naturopathic medicine. We need to recognize that they are providing primary medicine and that they are primary medicine care providers. They offer alternative medicine for those who are seeking alternatives to traditional medicine. They are completely community-based, and they offer a holistic approach that many people are looking for, so that you know that what you ingest will eventually have an effect on your health.

There is a real opportunity, I think, for Ontario to embrace what they're asking for in these times of doctor shortages, rising costs of medicine and hospital wait

times. It is an opportunity to explore an avenue that many people wish to explore. I invite people to go down and visit them if they have the opportunity in the next half-hour. They are holding a large seminar and get-together in Toronto later this year, on November 13, at the Toronto Congress Centre, and all are invited.

#### JEAN'S FLOWER SHOP

**Ms. Sophia Aggelonitis:** On September 9, I had the opportunity to visit Jean's Flower Shop, in my riding of Hamilton Mountain. This family-run shop has been in business for over 45 years. Since the day they opened their doors, they have done more than just sell flowers; they've also shown great generosity to the community.

On the day of my visit, the flower shop was celebrating their annual Good Neighbour Day. Every person who came in received a dozen free roses. They were asked to keep one for themselves and give the remaining 11 flowers to somebody. Jean's Flower Shop ended up giving out 12,000 free roses to the community. On that day, they also collected non-perishable food items for our local food bank, Neighbour to Neighbour. Jean's Flower Shop showed such great generosity to our community while creating an atmosphere of goodwill. It's gestures like this that make Hamilton truly a fantastic place to live.

I'd like to thank Bill and Edith Dalton, Debbie and Derek Thomson, and the entire staff of Jean's Flower Shop. I'm so proud to call them my neighbours.

#### COMMUNITY USE OF SCHOOLS

**Mrs. Laura Albanese:** It is with great pleasure that I rise in the House today to speak about a very important initiative that is helping the youth of York South-Weston gain better access to a number of after-school programs. Starting this month, nine schools in York South-Weston, both Catholic and public, will give not-for-profit groups free access to schools after hours. Offering school space at no cost will help not-for-profit groups provide affordable or free activities, such as sports, art and recreation programs, for children and adolescents. This is part of the community use of schools program.

Just a few weeks ago, I had the privilege of joining the Minister of Education for this important announcement at York Humber High School. We were also joined by students from the local Boys and Girls Club and enjoyed a playful game of dodge ball too. I saw their appreciation for the program.

The program is well received by local trustees, such as Mr. Chris Tonks, who also attended the Minister of Education's announcement.

Schools are at the heart of our communities, and making school space available after hours will help bring communities together and keep young people active and safe. For the community of York South-Weston, this is already a big step forward.



### WELLS STREET PUBLIC SCHOOL

**Mr. Frank Klees:** I'm pleased to bring to the attention of the House a very important local issue in the town of Aurora. It relates to a historic building that is also a school, the Wells Street public school. Notwithstanding the government's contention that they're investing multi-billions of dollars in infrastructure, it seems to me that one of the areas of investment that has been lost on this government is the investment in our school buildings, and particularly buildings that are of a historic nature and value.

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In the case of the Wells Street public school, it's situated in the heart of the town. Essentially, it is really a community centre. The school board is seriously contemplating shutting the school down. The people in my community, in the town of Aurora, are very concerned about that and have asked me to appeal to the Minister of Education to ensure that this historic building—and that Wells Street public school as an active school within our community—is not shut down; that it's allowed to continue as an active school.

I would ask the Minister of Education to intervene to ensure the appropriate funding is available to sustain that building as an active school in our community.

### GREEN POWER GENERATION

**Mr. Khalil Ramal:** We all recognize that climate change is one of the most pressing challenges of the 21st century. It's not bound by borders nor economic conditions.

The government recognizes that creating a cleaner and greener Ontario is crucial to our sustainability. We are working tirelessly to reduce our dependency on energy from harmful sources and increasing the province's usage of renewable energy. This will clean our air, combat climate change and stimulate the economy.

The government's Green Energy Act understands the urgency in making Ontario a leader in green energy production. It will create 50,000 jobs, build on our investments in green technology and establish Ontario as a leader in renewable energy. The feed-in tariff program established under the Green Energy Act will allow everyone to be a part of Ontario's green energy future. At least 25% of wind projects and 50% of solar projects will be produced right here in Ontario. This will ensure that Ontario is a world leader in green technology.

The Green Energy Act empowers us to work together so we can all do what is necessary to tackle climate change and make Ontario emerge as a green leader. And I want to thank the minister who has taken the lead in this regard.

### YOM KIPPUR

**Mr. David Zimmer:** The Jewish holiday of Yom Kippur begins this Sunday evening at sundown. Yom Kippur, the Day of Atonement, is the holiest day of the

year in the Jewish religion. The process of personal reflection and introspection begins on Rosh Hashanah and culminates on Yom Kippur, a 25-hour fast where Jews across the province and around the world gather in prayer at synagogue. Yom Kippur presents an opportunity for the Jewish community to repent any transgressions they may have committed against God and their fellow human beings over the past year. The process of atonement involves reconciling with the person you may have wronged and making those wrongs right.

I know that all members of the House will join me in wishing the Jewish community in Ontario an easy fast and a meaningful Yom Kippur.

### PETITIONS

#### AIR QUALITY

**Mr. Kevin Daniel Flynn:** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and determined that the Clarkson, Mississauga, airshed study area was taxed for respirable particulate matter (PM2.5); and

"Whereas the average annual PM2.5 concentrations measured in the Clarkson airshed were among the highest found when compared to data obtained from the ministry's air quality index monitoring stations; and

"Whereas the interim 24-hour ministry ambient air quality criterion for PM10 was exceeded on several occasions; and

"Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and

"Whereas concentrations of toluene, xylene, styrene, ethyl benzene, trichloroethene and acrolein were higher than those at the 12 Environment Canada national air pollution surveillance stations in Ontario, including those located in Toronto (4), Brampton, Windsor, Hamilton, Sarnia, Kingston, Ottawa, Kitchener and London; and

"Whereas annual average 24-hour nitrogen dioxide concentrations were found to be among the highest when compared to provincial air quality index stations in the greater Toronto and Hamilton areas; and

"Whereas the MOE stated that industrial emissions may contribute as much as 25% of the PM2.5 concentrations in the Clarkson airshed study area; and

"Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

"Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;



"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact the East Oakville environment and the Clarkson airshed study area."

I agree with this and will sign it and send it on to the desk.

#### TAXATION

**Mr. Ernie Hardeman:** I have a petition here signed by, I believe, the greatest number of residents of Oxford county of any petition that I've had the opportunity to present in this Legislature, and it is to the Legislative Assembly of Ontario:

"Whereas residents of Oxford do not want do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services we use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I affix my signature to this petition, as I agree with it.

#### ROAD SAFETY

**Mr. Michael A. Brown:** I have a petition signed by hundreds of people from the province of Ontario and other provinces.

"To the Legislative Assembly of Ontario:

"Whereas there currently exists an inequity in penalties under the Highway Traffic Act whereby a driver causing death or grievous harm to another due to unsafe turn or other act may only see a maximum \$500 fine and such is an inadequate penalty,

"We, the undersigned, petition the Legislative Assembly to pass into law the Highway Traffic Act amendment, as proposed by the Bikers Rights Organization, which calls for stiffer penalties for drivers involved in fatal accidents where their error caused fatality."

This is signed, as I said, by hundreds of people from across the province.

#### TAXATION

**Mr. Gerry Martiniuk:** I have a petition provided to me by Evgeniy Papkov, Keith Church of Prudential

Grand Valley Realty and Conestoga Insurance Brokers Ltd.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history, and still cuts health care services and nurses; and

"Whereas Dalton McGuinty will increase taxes again on Canada Day 2010, with his 13% combined GST, at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new 13% combined GST will increase the cost of goods and services that families and businesses buy every day, such as: coffee, gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations, veterinarian care, arena ice and soccer field rentals, Internet fees, theatre admissions, funerals, courier fees, fast food sold for over \$4, bus fares, golf green fees, gym fees, snowplowing, bicycles, taxi fares, train fares, domestic air travel, accountant services and real estate commissions;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

As I agree with the petition, I affix my name thereto.

#### GOVERNMENT SERVICES

**Mr. Joe Dickson:** I'm pleased to present a petition.

"To the Legislative Assembly of Ontario:

"Whereas current changes to ServiceOntario will expand and improve access to licensing, registration, health card renewal and other services, it will also close effective and service-oriented local businesses and cost us local jobs, such as the licence office that the Donald family has owned and operated in Whitby and Durham region for over 50 years; and

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"Whereas we recognize the quality of service provided by the Donald family to be rated above the 100% efficiency level, including extended hours;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Donald family be maintained as a licence bureau of the highest quality in the region of Durham."

I have affixed my signature to the petition, and I have attached to it a number of other separate presentations from people such as Gus Brown motors, Whitby Honda, Nurse Chevrolet, Chrysler Dodge in Whitby, and even the solicitor of Durham region, Brian Roy. I am pleased to submit that, if I have a page to accept it.

#### TAXATION

**Mr. Norm Miller:** I've received a number of petitions from Severn Bridge, Gravenhurst and Bracebridge to do with the McGuinty sales tax. It reads:



"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% harmonized sales tax will be applied to products not previously subject to provincial sales tax such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services; and

"Whereas rural and northern Ontarians will be particularly hard hit by Mr. McGuinty's new sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should remove the new sales tax from its 2009-10 budget."

I support this petition and give it to Alyssa.

#### TAXATION

**Mr. Bob Delaney:** I have a petition that was given to me just last week by members of the Peel Fountain of Youth Seniors Club, and I definitely want to thank Fay Henry, Joan Henderson and Basil King for having helped to gather the signatures. It reads as follows:

"Whereas a retail sales transaction in Ontario should not be subject to two separate taxes, at two different rates, under two sets of rules and payable to two different levels of government; and

"Whereas Ontario will implement a comprehensive package of income and business tax cuts in 2010, which will especially benefit working families and retired seniors; and

"Whereas the income taxes of Ontarians will be cut permanently, seniors will receive double their former property tax credit and other permanent savings will flow to Ontarians; and

"Whereas the cost to businesses to produce goods will go down permanently as embedded sales tax is permanently eliminated from the business cycle, enabling those businesses to lower their business costs and pass savings along to their customers; and

"Whereas these measures represent the most comprehensive tax reform in a half century, enabling Ontario to be the most competitive place in North America to create jobs, move, grow and operate a business;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario and the members of the Ontario Legislative Assembly swiftly enact Ontario's comprehensive tax reform measures, including the move to a single sales tax in Ontario, as proposed in the province's 2009-10 budget."

I'm pleased to sign and support this petition and to ask page Carlos to carry it for me.

#### TAXATION

**Mr. Ernie Hardeman:** My petition that I present today is signed again by a great number of people from Oxford county, and is totally opposite to the previous petition read. But it is to the Legislative Assembly of Ontario.

"Whereas residents of Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and it will be applied to home sales of over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

Thank you very much.

#### RURAL SMALL BUSINESS

**Mr. Dave Levac:** Always wanting to bring the voice of my community to the House, this petition has been sent to me by over 500 people as customers of Carl's Choice Meats:

"We, the undersigned, petition the Legislative Assembly of Ontario to adjust the requirements that have been applied to Carl's Choice Meats and other small family businesses as having been mandated by the Minister of Agriculture and Food in rural Ontario;

"We agree that existing small meat businesses that have existing quality products and are presently health-unit-approved should be grandfathered in and not burdened by the same regulatory stream as the larger facilities that have a much larger production capacity and so request that a more relevant category be established" for those small meat businesses.

I affix my signature to this petition and offer it to page Kaitlin to bring to you.

#### TAXATION

**Mr. Frank Klees:** I have a petition signed by more than 1,000 constituents, all opposing the Dalton McGuinty harmonized sales tax. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as coffee, newspapers and magazines, gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations, veterinary care, and arena ice and soccer field rentals;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

I agree with my constituents. I will affix my signature as well.

### SHARK FISHERY

**Mr. Mike Colle:** A petition from people all across the province:

"To the Legislative Assembly of Ontario:

"Whereas over 100 million sharks are being brutally killed, mutilated and butchered by the abhorrent practice of shark finning, which involves removal of the fins of live sharks and then throwing the finless, immobile, live shark back into the ocean, where it is destined for a slow and tortuous death, by either suffocation or attack by another predator;

"Whereas sharks are a vital component of the oceans' intercontinental ecosystem, leading ecologists to warn that rapid increases in shark depopulation will disturb the oceans' equilibrium and upset the ecosystems of the oceans of the world;

"Whereas the practice of shark finning can have disastrous effects on other fisheries, as the decrease in sharks decreases the supply of scallops, oysters, and other soft-shell and hard-shell organisms;

"Whereas the United Nations General Assembly itself has noted that the decline in the shark population could have 'an impact on broader ecosystem functions';

"We, the undersigned, urge the Legislative Assembly of Ontario to support the prohibition of shark finning and to call upon the federal government to support the prohibition of this cruel act; to prohibit the sale and marketing of shark fins as used in shark fin soup; and to call on Ontarians to consider stopping this horrible and wasteful practice of eating and consuming shark fins, as a way to protect this endangered species from unnecessary and cruel acts, especially the light of the unconscionable, wasteful and inhumane methods used to obtain shark fins for the purpose of making shark fin soup."

I support an end to shark finning and I support the petition. I affix my name to it.

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### PLANNING AMENDMENT ACT (ENABLING MUNICIPALITIES TO REQUIRE INCLUSIONARY HOUSING), 2009

#### LOI DE 2009 MODIFIANT LA LOI SUR L'AMÉNAGEMENT DU TERRITOIRE (INCLUSION DE LOGEMENTS ABORDABLES PAR LES MUNICIPALITÉS)

Ms. DiNovo moved second reading of the following bill:

Bill 198, An Act to amend the Planning Act with respect to inclusionary housing / Projet de loi 198, Loi modifiant la Loi sur l'aménagement du territoire à l'égard de l'inclusion de logements abordables.

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 98, the member has 12 minutes for her presentation.

**Ms. Cheri DiNovo:** First of all, I want to thank all the folks who were involved in writing this bill: certainly the Wellesley Institute, Richard Drdla and Brian Eng, who are here; Kenneth Hale and Mary Todorow from the Advocacy Centre for Tenants; and also councillors Adam Vaughan, Paula Fletcher, Gord Perks, many in the city of Toronto planning, and even Hazel McCallion at lunch-time suggested that, yes, this would be a good thing. She didn't have the powers to do this right, as the law stands.

1330

It's a very simple little bill, and I quite frankly would assert that it is non-partisan. This is a piece of the puzzle that will address the nightmare of housing in Ontario, and the piece of the puzzle is this: that right now, if a municipality or a city wanted to bring in inclusionary zoning bylaws, that is to say if they wish to demand of developers that developers set aside 10% of any developed units, for example, as affordable housing, it would allow them the ability to do it. This bill does not mandate that they do it, it does not demand that they do it; it simply gets rid of the roadblocks so they can do it if they so choose. It is a piece of the puzzle, but it's a critical piece of the puzzle. Over 200 municipalities across North America already have inclusionary zoning and a number of states have brought in legislation very similar to this one so that roadblocks are removed.

I was speaking to the housing minister and he suggested that we already have that ability as municipalities in Ontario. I would point him to legal counsel here who say—and this is from them; there's a generally accepted view among municipal lawyers—most of whom, I might point out, work for developers—that municipalities in Ontario don't have the explicit authority to enact mandatory inclusionary practices. As you know, the general constitutional rule is that municipalities can only do those things for which they have explicit legal authority.



There is a growing number of planners. I've heard from them. They've been part of this bill, including senior staff in Toronto and Ottawa who want to have mandatory zoning tools available to them, but they're worried about sticking their necks out too far because developers will inevitably take this to the OMB and win, and they have.

What is inclusionary zoning, just so folks know? And by the way, it's worked extremely effectively. Maryland and Boston were some of the first to enact it back in the 1970s. Since the 1970s, because of inclusionary zoning bylaws, they have over 10,000 units of affordable housing they wouldn't otherwise have. I did a little straw poll, and based on the number of units that were developed and built, in one year alone, from 2007 to 2008, we would have had 4,000 affordable housing units built as part of our housing unit mix if Toronto, for example, or any of our municipalities, had had the ability to bring in this bylaw.

What is the context? The context is 130,000 households waiting for affordable housing in the province of Ontario—waiting an average of 10 to 12 years. We're talking about, in the greater Toronto area alone, 70,000 households. We have in Ontario the worst record of any of the provinces in per capita investment in affordable housing. Saskatchewan, to take an example, invests four times as much as we do—four times as much. So as much as we in the New Democratic Party would like to see new bills, we would like to see more robust investment on behalf of our friends across the aisle. Certainly, this is still a piece of the puzzle and the lovely aspect of inclusionary zoning—this will appeal to my friends to the right here—is that it doesn't cost one tax dollar, yet it provides affordable housing negotiated by the municipality. For those who may have friends in the development industry who say, "This is anti-development"—no, it's not. In fact, developers in many of the municipalities across the States support inclusionary zoning, particularly in a down market. This allows them in fact, in their own jargon, to get rid of some unwanted units because they can't sell them and somebody out there needs them.

I remember very well my personal introduction to those who were seeking housing and couldn't get it. That was as a United Church minister, when a family pulled into our parking lot in an RV and asked if they could park there and live there. We had a family living in our parking lot at the church that I presided over for about year. Their children went to school from the RV in the parking lot and came home every day. They used the church as their address. Why? Because they couldn't find housing.

That's what those statistics mean. Those statistics all bear a face, and the face is the face of a child. There are children and single parents out there living in RVs, living in their cars, living in shelters and surfing from couch to couch in their friends' homes. They don't have housing, and anybody can tell you that housing is a major determinant of health. If you don't have a house, you don't have a job. If you don't have a house, you don't live long. That's the reality.

Who else supports inclusionary zoning implementation? Well, just about everybody in the housing advocacy community; 134 different groups have come out with various recommendations around inclusionary zoning. Certainly the Ontario Non-Profit Housing Association has brought out a specific report talking about implementing an inclusionary policy to facilitate affordable housing development in Ontario.

Again, it's a very simple little bill. All it does is change the wording of one small piece of the Planning Act so that municipalities can do what only some might want to do. Not all might want to do it, but at least some can move forward on this file. I certainly have assurances from some of the bigger municipalities that they would do just that if they were given the tools to do so. That's what this bill is about.

I know there's not a member here who isn't touched by the issue of homelessness and the demand for housing in their riding, and I know that the government is doing ongoing consultations as we speak about the issue of housing. So it is certainly in the government's best interests to have this piece of the puzzle put in place; it's in the best interests of lawyers who are trying to work for advocates for housing; it's certainly in the best interests of housing advocates; and ultimately, it's in the best interests of children like the ones I just described, who live in RVs and go to school from there, because it would free up units.

The other aspect of this that is wonderful is that it really fights against NIMBYism. Instead of having a housing development over here and nothing but people on social assistance living there, it mixes it up. So you have a high-range condo that has 10% set aside for affordable housing and could be rent-to-own.

I know that in my own riding I have a large group of Tibetans who came as refugees. They're finding their way and making their way, and they want housing. But they want to own their own house, eventually; they don't want to rent. This would be an opportunity for a developer to offer 10% affordable units, for example, to those who don't have a down payment but can make the monthly payments and do want housing. Again, it would answer many of our needs.

The Star editorial two days ago talked about the huge bureaucratic nightmare that goes into trying to get a housing project up and running in this province. It's true. It's a nightmare to try to get a housing build. Ask any church that's trying to get involved in this. Here's a very simple, direct way—again, up to the municipalities.

There are as many ways to do inclusionary zoning as there are municipalities. Different municipalities do it differently: some more aggressively, like London, England, where up to 30%—in fact 50%, depending on how you read affordable housing—has to be set aside, to localities like Florida and others, where 10% to 20% seems to be the general rule. Australia, for example, has this nationwide. Belgium and European countries have it in place. We really are behind the curve on this, and this little bill—all I ask is that it be let go on a voice vote and



go to committee so we can discuss it, so it can begin—to begin—to confront the problem of homelessness.

One of my favourite ads ever about homelessness was done by Covenant House. I don't know if members remember this ad; it was in bus shelters etc. It was a picture of about a two-year-old in a bus shelter, and it said, "How young do they have to be before we give a damn?" That's what it has come down to, particularly in our big cities. Unfortunately, we're used to—we've unfortunately become inured to—stepping over bodies on our streets. What kind of moral society is that? What kind of ethical reality is that, when we're used to people lying, sleeping on grates on the sidewalk, some 5,000 of them in Toronto alone?

1340

We need every tool in the toolbox to confront this. We need new bills; we need rent supplements; we need money, as I know has been forthcoming, at least to some extent, to Toronto Community Housing Corp.; and we need inclusionary zoning. We need all of this. All of this will go towards the mix that will take us from worst to first. Right now, we're at worst in Canada. We are worse than progressive states. It's not every day I get to stand up and say Ontario is worse at this than Florida when we're talking about progressive states, but we are.

Again, I ask that this be treated as a non-partisan issue, something that we can all get behind, a simple little change. Section 37, by the way, which is what's in place now, is hit or miss at best. It's up to the councillors to negotiate with the developers. Sometimes they get a fountain; sometimes they get nothing. We don't need that anymore. We need housing, and we need it desperately. The era of downloads, I hope, is at an end. The era when this government steps up and takes responsibility, I hope, is at its very inception.

Think of that child in the bus shelter. Think of the family that lived in my church parking lot for a year. Think of all of those in your ridings who really need access to affordable housing, and yet there are not the tax dollars there to build all the housing we need. Even think of the developers who, in a down market, sit on empty units that could be filled. Think of all of Ontario when you decide about this bill.

**The Acting Speaker (Mr. Jim Wilson):** Further debate.

**Mr. Lou Rinaldi:** I'm delighted to take part in this debate on Bill 198, which will allow some inclusionary zoning permission for affordable housing.

I commend the member for bringing this bill forward. I just want to make a couple of points. We, in this House and outside this House, are all Ontarians and Canadians. We have the social fabric to look after our fellow man and the needy, and whenever there's an opportunity to improve that situation, we need to do all we can.

So a couple of points: As a government—through the Minister of Municipal Affairs and Housing—we're in a position to do some consultation across the province as to how we can look at all options to bring the affordable

housing issue to the table and come up with a strategy so that we can move this forward.

We could point fingers here at different governments at different times. I think we all try to do the best we can on a piecemeal basis, and in the last few years we have made some advances. This consultation process to come up with a strategy, as the minister has indicated, will give us some kind of road map.

I believe the ministry is in its final stages—I know that I personally attended a consultation in Brampton to see what the feel of the land was in a more urban setting. There wasn't one in my riding. The closest one was Lindsay. So I had two of my own, one in Colborne, which is the centre of my riding, and one in the city of Quinte West, which is part of my riding. Virtually, we didn't have the numbers that we had in Brampton. We have fewer people because of the population density and the makeup, but I would say that the suggestions and the comments mirrored what I heard in Brampton. Was inclusionary zoning part of the discussion? Absolutely—amongst an array of other baskets.

I would say that it could be part of that mix as we come out with the strategy, but I'd also like to point out that municipalities do have some tools. I'm not saying it's black and white. I just want to point out that in our provincial policy statements there are provisions for municipalities, through intensification numbers, to provide that type of guidance to developers.

For example, if I remember back to my municipal days, when they're approving a plan of subdivision—although there are not as many as there are in large urban centres—municipalities can dictate what that subdivision should look like, whether it's through store management, whether it's through size of lots that they would approve based on a whole number of criteria. That's prior to the provincial policy. So municipalities do have some tools. To say that they don't have any tools—they do.

I'm going to be supporting this, on a personal note—this is private members' hour, I'm not sure what the other members do—because I believe this could be part of that toolbox. I would also like to encourage the rest of the House to think of the strategy we're going to be putting in place, and could this be part of it? I think passing this bill today would help make this part of it. To what format? I wouldn't want to prejudice what the strategy will be that the minister will come out with, hopefully sometime at the beginning of the year.

So as we debate this, I think we need to talk about some of the advancements we've made as a government the last four or five years, and there's a whole list, and the federal government has been a part of it—unfortunately, where we find ourselves in a difficult situation. Being part of a municipal government of the day when public housing was divulged to the lower-tier municipalities, I remember sitting around a county council table, which is the same as regional government, scratching our heads as to how we could absorb all this housing that in many cases needed a huge amount of repair. So we've tried to accommodate some of that. I think we've made



some progress, but do we have a long way to go? Absolutely. So we must not lose sight of the investments that we've made.

I look forward to the rest of the debate on this bill. I would encourage all members to also keep in mind, and I know a lot have taken part in, the public meetings that the minister has had across the province. I believe there were 13. I know some of them have, from all sides of the House. So I very much look forward to that, to have a complete toolbox, not just to deal on a piecemeal basis, because although this will hopefully make some advances, I think we need to look at the broader and really long-range effects. So as I mentioned, I will personally support this, but I would encourage that we need to look at the bigger picture.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Norm Miller:** I'm pleased to have the opportunity to speak to this private member's bill today, Bill 198, An Act to amend the Planning Act with respect to inclusionary housing. The bill plans to amend the Planning Act. I'll just read from the explanatory note.

"The Planning Act is amended to include the adequate provision of a full range of housing, including housing that is affordable to low and moderate income households, as a matter of provincial interest.

"Section 34 of the Act is amended to allow the councils of local municipalities to pass zoning by-laws requiring inclusionary housing in the municipality and regulating the required percentage of affordable housing units in new housing developments in the municipality."

I think the important word in all that is "to allow the councils," so I do believe it's important that it become a local decision.

Inclusionary housing is something that certainly has been going on a long time in the United States. For those who are unaware of what it is, inclusionary housing refers to municipal and county planning ordinances that require a given share of new construction to be affordable by people with low to moderate incomes. In practice, these policies involve placing deed restrictions on 10% to 30% of new houses or apartments in order to make the cost of housing affordable to lower-income households. As I say, it's been quite common across the United States for quite a long time. The thing that I like about this approach is that you have mixed-income neighbourhoods, which I think is a positive thing, versus creating ghettos in some cases.

In the United States there are more than 200 communities that have some sort of inclusionary zoning provision. To give a few examples, Maryland is thought to be a pioneer in establishing inclusionary zoning policies. It's the sixth-wealthiest county in the United States, yet it has built more than 10,000 units of affordable housing since 1974. In Massachusetts, they have a state law. In New Jersey, there is a judicially imposed inclusionary zoning. In California, a 2006 study found that 170 jurisdictions in California had some form of inclusionary housing; that's a 59% increase from 2003. So we can see that it's quite common across the United States.

1350

I would say, from my perspective from Parry Sound—Muskoka, that certainly we do have a challenge of needing more affordable housing. In Muskoka, the wait time for an affordable housing unit is at least a couple of years, and it has been that way quite consistently the last number of years. It hasn't been improving. In Ontario, a quarter of tenants are paying more than 50% of their total household income in rent, and that is neither affordable nor sustainable.

I recognize that municipalities sometimes do get push-back from neighbours when it comes to affordable housing units.

I'd like to highlight some of the recent events that happened in Parry Sound particularly:

"Parry Sound councillors approved tax exemptions for three more developers planning to apply for upper-level government subsidies to add low-income housing in Parry Sound—projects that could create more than 85 new apartment units in town." That's a lot of units for the town of Parry Sound.

Under this affordable housing program, "applicants can receive up to \$150,000 per apartment for new rental units, provided they are rented at an amount that is only 80% of the average rents paid in the area."

I would, however, point out that there was a story about that building going ahead, and I did have some local landlords who complained to me that they would be unfairly having to compete against this subsidized rental housing.

"To qualify, developers must have the support of their municipal government...."

In the case of Parry Sound, Parry Sound council members recently agreed to forgive property tax reduction for 63 apartments at the former St. Joseph's hospital site. They also endorsed a proposal for a new 20-unit seniors' complex attached to an existing apartment building on Isabella Street, across from the high school.

There are lots of different approaches. I believe that rent-geared-to-income is one that makes a lot of sense, where people are given financial assistance and they look for accommodations in the marketplace.

I'll use this opportunity to promote the fact that I will be holding my own affordable housing consultation on October 14 at the friendship centre in Parry Sound. That's being assisted by the poverty reduction network in Parry Sound. We're hoping to set up and invite people to participate in that forum. So I look forward to that at the friendship centre on October 14 in Parry Sound.

I would like to point out, in the short time I have left, that some of the actions this government has taken have actually made things worse. Their changes to the tenant protection act, which really change the balance to favour tenants, have the result of making it so landlords get out of the business of renting apartments. I have had many cases where landlords are dealing with what they call "professional tenants" and go through a long, drawn-out process by these people who really know the process, and they end up losing thousands and thousands of dollars



and have damaged apartments and, in the long run, end up deciding not to rent units anymore.

I'm pretty much out of time because I know that the member from Oxford would like to add his comments, as well. But generally, I support this approach, where you support mixed-income types of accommodation versus having separate buildings or separate areas created.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Michael Prue:** It is indeed a privilege and an honour to stand here and talk about Bill 198.

This is a very simple bill. It's not a very complex one. It's contained on a couple of pieces of paper. What it does is it allows a municipality the ability to pass zoning bylaws to lead to inclusionary housing and allows them the option of setting the percentage of affordable housing that might be built.

Some would say that municipalities already have that authority. I go back to my own time when I was the mayor of East York. Did we have that authority? I'm not sure. But we did have a policy that said that 10% of the apartment buildings that were going to be built in any large-scale development that wasn't for individual occupancy use had to be affordable. But I know that the developers, with their lawyers, were often very circumspect about our ability to enforce that. Although I do not remember any actually going before the Ontario Municipal Board, there were many statements that we could not enforce that policy.

I believe, in my heart of hearts, that this needs to be done, if only to end that argument, if only to state categorically for the Ontario Municipal Board and anyone else, any courts that might be involved, that yes, we, the province of Ontario, want to grant that right to municipalities, and that they have it so that when they set policies, as we had in East York, they are set on a firm foundation of law that cannot easily be challenged.

The second thing the bill does is it also allows for the approval of the plan of subdivision. This may not take place in most of the built-up cities—I'm thinking here about downtown Ottawa or Toronto or Hamilton—but certainly is a key factor in the areas that surround them—in the case of the GTA, the rural parts of Ottawa or Hamilton—where there are still opportunities for plans of subdivision, where the subdivision will come in and where it is important to say to the developers who are building homes or apartments or condominiums in those plans of subdivision that a certain percentage must be affordable.

I applaud the writer of the bill. I applaud my colleague sitting next to me for what she has brought forward.

My own experience as a mayor was—and I told you that we had a 10% requirement. I remember the developers or the people who wanted to build condominium units, who wanted to build townhome developments, who wanted to build apartments, being very, very reluctant to allow what we wanted to go forward.

I remember, in fact, one particular case where the developer thought he was much smarter than I. He came

forward with a plan. He wanted to build five apartment buildings. It was an ideal location on Eglinton Avenue for five apartment buildings. The council was favourably impressed with the design and everything else, and we were proceeding merrily on our way till it came to the meeting. He proposed to build the five apartment buildings in several stages. The first stage would involve two smaller towers, and then the next two, which were the larger towers, and then the last one. He said it was a project that was going to take approximately 10 years. We all applauded that—here were some new apartment units coming into East York, some better assessment for the municipality; all the things that one wants to see—until I asked him the very thorny question about our 10% policy: "Where were the 10% of the apartments going to be?" He looked red-faced because, in the end, the apartment building that was going to contain all of the 10% was the last building, the building he was unlikely ever to build, the last one to be done, 10 years down the road, if he made a profit on the first four.

I remember asking that question and turning to the planner, whose name was Mr. Tomascevic in those days, and asking him how he could have agreed to allow it all in the final building. He looked a little red-faced too, not realizing that the building might never be built and that we would end up having absolutely no affordable housing built in this unit.

I know for a fact that the buildings were never built. I don't know what happened to the developer, but we imposed that condition upon him. I think he felt a little red-faced in not wanting to go to the Ontario Municipal Board because he got everything he asked for, save and except that we wanted 10% in each of the buildings as they were being built to ensure that it happened. In the end, he did not build it.

This is just one of the key things that one has to look for and to understand that developers will not build affordable housing, which makes less profit or no profit at all, in the space of those buildings where they can charge higher amounts.

There is also the second issue of the reluctance of neighbours. I know, as a 13-year municipal politician, how reluctant neighbours are to have affordable housing sometimes in their neighbourhoods. I must state, though, that they were always reluctant before it's built and they usually looked ashamed and red-faced after it's built because, really, sometimes what it replaces—it's a whole lot better in the second instance than what it replaced. In any event, they're often reluctant. This will give the municipalities the power to set it by statute. You deal with it once. Anyone can come out to complain, but once it's there, it's as of right, and it will be very difficult for neighbours to complain about as-of-right zoning legislation to allow the poor to live amongst them.

1400

I also have to be a little bit critical of governments. Somebody asked me today how long I've been here in this Legislature, and this marks eight years and three days. I was elected nine days after 9/11, so I remember that very well.



**Hon. Kathleen O. Wynne:** Congratulations.

**Mr. Michael Prue:** Okay. I guess I'm one of the veterans of the House now, after eight years, but I remember the first two years—I was the housing critic—and going down to Quebec City when the first announcements were being made. I think some of the people who are witnessing this today went down to Quebec City to try to get all the provinces on board—and to see, right there in front of my eyes, a place like Nunavut actually sign up. They were only two years old; they were only a territory for two years on their own and they signed on the dotted line at Quebec City. Ontario, for two years, did not sign at all. We had no housing policy.

I watched as the new government came in, six years ago, and although I will state that there has been some action on this file, it has been excruciatingly slow and it need not be excruciatingly slow.

So today we have an opportunity, along with this bill, to empower municipalities—a combination of infrastructure funds, which seem to have started flowing both from the federal and provincial governments. We have an opportunity with the budget that's going to come forward this March, if the government members opposite are intent upon doing more for housing—I know there's a whole lot of discussion going on—if they're actually intent on building affordable housing. We have an opportunity to change the archaic laws around brownfield sites.

I specifically want to talk about one that is no longer in my riding but was, prior to redistribution. It's just west of Coxwell on Eastern Avenue, and it's a financial co-op that's trying to build a housing development on the land. They keep being rebuffed because the land down there, close to the lakeshore, was at one point industrial and it is considered brownfield. After years and years of constantly trying to get something built there, they're still going nowhere. I think that if we remove that barrier, there would be some decent and good housing for 40 or 50 families. That needs to be looked at too.

In conclusion, I'd just like to state that we have about 70,000 families in the Toronto area on the waiting list for affordable housing; 70,000 families that cannot be properly housed, and there's a lot more across the province of Ontario. I dare say it's probably double at least.

We have an increasing wait time for seniors. In my office, we tell people to come and apply for seniors' housing as soon as they turn 59 years of age so that hopefully, by the time that they're 70, they can get the kind of housing that they want. The wait times are enormous. We tell them to apply early and often and to spread out where they're going. We need to understand that as the population greys, we're going to need more and more seniors' housing, and it needs to be built quickly.

We need to look at the lack of supportive housing for those people with addictions and for those people with mental health issues. It needs to be built and it needs to be supportive, along with social workers and job seekers and others who can live in or be in close proximity to them to provide the services they need.

And last but not least—and I cannot leave this out—we need to look after our First Nations communities. Any of you who have travelled into First Nations communities, particularly in north and northwestern Ontario, will know the abysmal state of housing. Some might argue that this is a federal responsibility, but I would argue, as well as a federal responsibility, it is our responsibility. They are citizens of Ontario. We have an Ontario housing policy. They need to be included. There is no reason that people need to live 15 or 20 to a home, live in sub-standard conditions, live in towns with no roads or sewers, live in places with mould on the walls. The time has come for us to include First Nations communities in all of the housing and to give them, perhaps—and I hope this might happen in committee—the same authorities that we would grant to any city in terms of how it's built, where it's built and who is included.

So I would like to conclude with that and just say that I support Bill 198. It's an idea whose time has come, and I commend my colleague the member from Parkdale for bringing it forward.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Khalil Ramal:** I'm pleased to stand and comment on Bill 198, An Act to amend the Planning Act with respect to inclusionary housing, introduced by the member from Parkdale—High Park, which seeks to amend section 34 to allow municipalities to rezone and pass rezoning; to amend section 37.1 to specify the percentage; and also to amend section 51 to put conditions on approvals to specify the percentage of affordable units.

I want to thank the member from Parkdale—High Park for bringing such an important issue to this House to be discussed. No doubt about it: It has been a concern for all the people across the province of Ontario, especially our government since we got elected in 2003. As the member from Parkdale—High Park knows very well, up till 2003, affordable homes were out of the question in the past government, so when we came, we were trying to introduce it step by step.

I want to thank our government for investing heavily in affordable homes. To date, we've invested more than \$1.2 billion to reconstruct and refurbish many homes we have across the province of Ontario. Even though I'm talking about refurbishing almost 76,000 homes and trying to build 4,500 new homes, I still think it's not going to solve the problem across Ontario. I know that in my riding of London—Fanshawe we have almost 4,000 people on the waiting list. So people are looking forward to seeing some improvements on this front.

I want to congratulate my colleague and seatmate, the parliamentary assistant to the Minister of Municipal Affairs, for his comments on this file. I know he's working with the minister, Jim Watson, to conduct a study across the province of Ontario to seek the opinion of the people of Ontario on this file, how we can tackle it and how we can deal with it. I know it's huge. As the member from Beaches—East York said, Toronto has almost 72,000 people on the waiting list.



The investment of \$1.2 billion is a great investment. It's an incredible investment in the history of this province. But we still need more investment to continue, and also partners—different community leaders like Habitat for Humanity, churches, mosques, synagogues, temples, whomever—who work in that regard to help us, as a community, as a government, as a province, to deal with this issue.

I think that adjustment to the Planning Act might help when we are trying to convince developers and municipalities and many different communities across the province of Ontario to include affordable homes in their planning, whether it's 10% or 5% or whatever percentage they agree on. I think it's a very important step toward putting all the pieces together.

I want to congratulate the member for Parkdale–High Park. Also, like my colleague and seatmate, I'm going to support the bill. I think it's an important step toward reforming the Planning Act and the Municipal Act to allow municipalities some kind of free movement to deal with this issue. I know that many of our colleagues, members in this place, have served as municipal councillors. Some of them were mayors, like the member from Beaches–East York and my colleague the Minister of Municipal Affairs and Housing. All these talented people who serve in this place can offer a solution to this crucial problem we are facing in the province of Ontario.

It's sad when you drive, whether in Toronto or in any big city, and see people sleeping on the street. I think it's our obligation and duty as citizens of this province, as the people elected to serve all people—weak, rich, poor, vulnerable—to apply the kind of support they need. It's our responsibility, as elected officials, to create infrastructure to house those people who sleep on the street with no way to manage their daily lives. So I think it's an important step.

As my colleague the parliamentary assistant to the Minister of Municipal Affairs and Housing said, the ministry at the present time is conducting studies across the province of Ontario, and part of those studies is to see whether inclusionary housing is an important step or not. Hopefully, as a result of the study, it is supported by the people of Ontario and we can also proceed with it and go further to addressing this important issue.

1410

I had the chance to attend a round-table meeting in London in the presence of the Minister of Municipal Affairs and Housing, and I listened to many different stakeholders who came to talk to the minister and to see how he's going to deal with this issue, and especially about our investment. As you know, we did round one and we have round two and round three, and many, many people came and placed submissions to be able to build affordable homes. I see the content and the people and the stakeholders, but as I mentioned at the beginning, it's a deep problem in the province of Ontario that's going to take us years and years in order to deal with it totally. I think we are taking the right step in the right direction in order to address this issue.

This bill, I think, would be a complementary bill to allow municipalities to participate in the solution in conjunction with the provincial government and the federal government. But still, I believe strongly that it should be a national strategy to deal with affordable homes across the province of Ontario and across the nation because this is a problem not concerned just with municipalities or with provinces; it concerns every citizen who lives in Canada. I think our obligation and duty is to continue pursuing all the avenues and whatever we can to solve that issue.

I want to congratulate the member from Parkdale–High Park, and I'm going to support the bill.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Ernie Hardeman:** I'm pleased to rise and speak for a little bit on this Bill 198, introduced by the member from Parkdale–High Park, to make it more expedient to create more public housing or housing for people of low incomes who need help to find accommodations.

I guess I support the principle. Her presentation was very good to the extent that this is just a very small piece of the puzzle and it will not have a major impact on the shortage of housing. I think it has an opportunity to help, but it's just a small part. The reason I say that is, I think it's very important to look at what the municipalities can do today. It relates more to the areas that I represent in rural and small-town Ontario as opposed to downtown Toronto because it goes more to the subdivisions. We have very little development of great amounts of housing on anything but greenfield development.

When a municipality gets an application for a plan of subdivision, there are a number of things that they can ask for in that plan of subdivision, including the number of multiple family units they want on the site. So they can have all single-family residences and then some rental units as part of it. Multi-residential: They can demand that that be in there. They can also demand 20% of the land area for parkland, but what happens is they put that in, and that's their given; they can do that in the plan of subdivision. But then, as they negotiate the plan of subdivision, because it's their rule that allows them to do that, they can barter it away for things that the municipality wants: "We want slightly more contributions toward the infrastructure for this development as opposed to the parkland." Or they can negotiate the value of that parkland. The act says that it must be 20% of the price of the land before development, on the day of approval. So they say, "Okay, so we can't charge you the developable price—just the farmland price. Then just give us the land and then we will sell it, after the subdivision is built, for its true value." I think we need to be careful that we don't get in a situation where it just gives more tools to bargain with as opposed to actually doing what needs to be done.

The other thing that I really would like to touch on is that we talk—and this is in every case—about affordable housing and building affordable housing. Where I come from, the people at the lumberyard never ask what type of housing the lumber is for. The price to build is exactly



the same regardless of what you're going to use the house for. What is different is somebody putting in money to subsidize or to help reduce the cost of the building so the rent that's required to cover the cost of the infrastructure can be lower. That, in most cases, of course, is not based on the person's ability to pay but the amount that it costs to build the infrastructure that they're renting. So I think it becomes very important that the government makes sure—in this case the member said that there was no cost to government because the developer would pay that.

*Interjection.*

**Mr. Ernie Hardeman:** Yes, well, somebody has to pay it. So to me, rather than negotiate how much the developer can make on it, it makes more sense that the municipality look at having the right type of housing built or that governments look at having the right type of housing built and then subsidize the people who have to pay the rent and who can't pay the rent. Rather than owning the bricks and mortar, the answer is to help people pay the bills so that they can live in a quality home and have a roof over their head and a place to raise their families. I just caution that we look at that, that we're not getting into it further than we really want to be and in fact giving municipalities powers that in the end are not going to help the people that we're targeting to help.

In my community, we have a number of public housing units being built, with all the efforts from the provincial government and with the federal government money going in. None of those are in residential areas, but they are all being built based on the money coming in going to help cover the infrastructure cost of the units which are going to be rented for less than the going rate for the rest of the units. That will be inclusionary, because in fact most of the units in the development are going to be rented at the full rent, and the subsidized units are those that the tax dollars help subsidize, which they have to do for the next 25 or 30 years. By then, they will need some remodelling or something, and I suppose we can then put another deal in place.

But I think putting the money in to help people pay the rent is likely going to work better for us than trying to own the buildings, whether it's the municipality or the government. Governments are never good managers of property. Governments are there to help people in need, but don't help the people who necessarily own the property and who have to provide these facilities for us.

With that, Mr. Speaker, I want to thank you for the time, and I want to commend the member for bringing this forward. We will be supporting the bill as it comes forward.

**The Acting Speaker (Mr. Jim Wilson):** Thank you.

Ms. DiNovo, you have up to two minutes for your response.

**Ms. Cheri DiNovo:** Thank you to the members from Northumberland—Quinte West, Parry Sound—Muskoka, Beaches—East York, London—Fanshawe, and, finally, my good friend from Oxford.

I just wanted to mention that the member from Parry Sound—Muskoka emphasized a very critical point, and that is that this “allows” municipalities—it does not demand; it does not make municipalities do anything. It simply clears the way so that they can do something. That's all we're trying to do. That's an essential piece that needs to be done so that they are able to move forward.

Certainly dollars, some inclusive zoning—municipalities have done dollars in lieu of units, so that answers, I think, the member from Oxford's concerns. And there are many, many ways of doing inclusionary zoning, as many as there are municipalities, and so tailoring that kind of bylaw production is, of course, really critical. I have utter confidence in our municipalities, particularly our larger ones, that they will do everything to the utmost to try to produce affordable housing, which we desperately need. Unfortunately, we're worst in the number of provinces in investing in it, and this might get us a little way towards first.

*Interjection.*

**Ms. Cheri DiNovo:** Another two minutes?

**Mr. Michael Prue:** Yes.

**Ms. Cheri DiNovo:** Oh, that's magic, fabulous, because I did want to answer the member from London—Fanshawe on a couple of issues. I mean, really what I'm trying to do here, folks, in terms of affordable housing, among other things, is to get the cabinet to give more money to our Minister of Municipal Affairs and Housing. I think his budget should be a lot bigger. Unfortunately, in the 2009 budget, the budget for housing was cut; it wasn't increased. Per capita, we put \$64 towards housing, whereas, for example, the provincial average is \$115. What that means is that these costs are still down-loaded to the city in a way that really should be reversed. We need to help our cities. The cities are bearing the brunt of this. We need to step up to the plate both in terms of actual dollars flowing from the province and also in terms of the legislation that we pass here today. So I would simply caution the member from London—Fanshawe that there is, in fact, more that we could do in actual, real dollar terms as well as inclusionary zoning.

But inclusionary zoning is the order of the day. I'm delighted that so many people support this bill. I'm hoping that it will go to committee and get full committee hearings, because it's important. Although it's a small piece of the puzzle, in one year alone—let's say it was 10% across Ontario—it would have produced 4,000 units of housing; the government has produced about 16,000 units of affordable housing in six years. So this would produce, in one year, a quarter of what we've had in six years. So although it's small—true enough—it's still a substantial chunk of housing units if it was really brought in in every municipality. It does have a real possibility of changing the affordable housing scheme and outlook in Ontario.

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Thank you for supporting this. I look forward to your input on committee, and I again thank all of those



housing advocates across Ontario who've really been the people on the ground, working hard to make this pass.

**The Acting Speaker (Mr. Jim Wilson):** This concludes the time for this ballot item. For those watching at home and those in the galleries today, we'll vote on this item in about 100 minutes.

#### AUTOMOBILE INSURANCE

**Mr. Frank Klees:** I move that, in the opinion of this House, the government of Ontario should introduce legislation to implement an automated insurance verification system that shall be designed with the goal of identifying motor vehicles that are being operated on Ontario roads without the required insurance coverage and shall provide accurate and current access to motor vehicle insurance coverage information for persons and agencies charged with the enforcement of motor vehicle insurance requirements, such that police officers can determine the validity of the insurance of a vehicle and that a licence issuing office can have the ability to confirm in real time that insurance coverage is valid, and that the Highway Traffic Act be amended to provide for the impoundment of the vehicle being driven by an uninsured motorist.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Klees moves private member's notice of motion number 67. Pursuant to standing order 98, Mr. Klees, you have up to 12 minutes for your presentation.

**Mr. Frank Klees:** I will be to the point in terms of my reasoning for bringing this resolution forward. I recall, as Minister of Transportation, dealing with the issue of uninsured motorists. It was something that was of great concern to the province at the time. It was of concern to many stakeholders, to the police services right across the province, and it was of great concern to the insurance industry as well. At that time we initiated discussions within the ministry to see how we can best deal with this issue. We were in touch at that time and initiated discussions with the Insurance Bureau of Canada to determine how we could best jointly move forward and determine what the solution would be.

People will know, and members of the Legislature will know, that in the province of Ontario it is against the law to drive a vehicle without valid auto insurance. I wonder what degree of knowledge exists even within this House as to what happens to the application form when someone goes to a licensing bureau and presents the renewal form for the licence or for the licence plate. As we all know, there is a place on the application form that requires us to disclose the name of the insurance company for the auto insurance as well as the policy number. I would ask the parliamentary assistant for the Ministry of Transportation, does the parliamentary assistant know what happens with that information? I think we would all assume that that information is then lifted from the application form and appropriately entered into the Ministry of Transportation records so that there would be some form and some way of validating that insurance.

Here are the facts. Nothing happens with that information. In fact, if you were to write in that application form that the name of the insurance company is Bozo the Clown Insurance and the policy number is 1234, you would have your licence issued and you would have your licence plate issued, because nothing is done with that information. It goes nowhere. In fact, staff at licence issuing offices are instructed to return the application form, the paperwork, to the applicant, so it never gets entered anywhere in the records of the Ministry of Transportation, and there's no way of validating at any point in time whether or not information about insurance was fraudulently submitted, because there's no record whatsoever in any office of the Ministry of Transportation regarding the insurance. So is it any wonder why uninsured motorists continue to represent an increased safety risk and are, in fact, a factor of escalating costs of insurance in this province?

It's been estimated that there are some 400,000 uninsured motorists in the province of Ontario today. Why is this an issue? For every driver who chooses not to pay an insurance premium, the result is that insurance costs increase for everyone else. Every law-abiding driver in this province who complies with the law has to make up for those premiums that are not being paid by those who choose to cheat the system—in fact, break the law.

The Ontario Ministry of Transportation has in place, and has had in place for many years, an honesty system. We're going to trust people to do the right thing. We know that that's not happening. Some 400,000 motorists in this province cannot be trusted. The implication, then, to the rest of us is very clear.

Police officers have no way of knowing whether the insurance certificate that motorists are asked to provide is valid. In fact, it is a practice that people apply for auto insurance and get the little pink slip. They may have paid the first month's premium, they pay no more premium, but they've got a certificate that shows valid insurance for the next 12 months. The police officer has no way of knowing whether that policy has lapsed and so, presented with the certificate, no way of confirming whether or not there is in fact valid insurance in place.

In the province of Ontario, what we have done to backstop that is to create the motor vehicle accident claims fund. This is specifically a fund that has been set up by legislation to make up and protect us from those uninsured motorists, so that if someone is in a collision, and there is no recourse to any auto insurance policy, then it falls to this motor vehicle accident claims fund to adjudicate that claim and to pay out the claim—not only the claim but if there are court judgments that have to be paid as well.

Ontario has more than 8.9 million licensed drivers. As I indicated, the Insurance Bureau of Canada estimated that in 2005 alone some 400,000 of these were driving without appropriate insurance.

Between 2000 and 2006, uninsured motorists were involved in more than 20,000 collisions, killing about



300 and injuring more than 10,000 people here in Ontario alone. The uninsured drivers were at fault nearly 80% of the time in those accidents. More than 2,000 people were impaired by alcohol and drugs, that is, of the uninsured motorists. Nearly one quarter fled the scene of the accident and more than 1,300, in addition to not having valid insurance, were driving with a suspended licence.

Joining us here today is Mrs. Debbie Virgoe, whose husband, David, was killed on Highway 400 when his transport truck was cut off by three street racers. One of those drivers was convicted of driving with a forged insurance document, which the police initially had accepted as a valid document.

In addition to the fact that we don't have a system in place in Ontario to confirm validation of insurance, we also unfortunately have a court system and we have to get a message through to our judges in these courts that they must uphold the law as we have written it in this place, because in Mrs. Virgoe's case, the person who was sentenced was sentenced to two years of house arrest and two years of probation. The fine for driving without valid insurance, as written and prescribed in law, in regulation, is a minimum of \$5,000. The judge reduced that penalty to \$1,000 and a mere \$250 for forging that document.

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There is something fundamentally wrong in the province of Ontario when, first of all, the Ministry of Transportation does not have in place an appropriate system that will allow in real time a verification of validity of auto insurance to ensure that the declaration that's being made by motorists is in fact the truth. And there's something wrong in the province of Ontario when our court system, our justice system, does not respect the will of the Legislature when we have prescribed not only recommended fines, but minimum fines. The intent is that we send a signal, through the consequences of breaking the law, that we take this issue very seriously.

This resolution is asking the government to make the issue of implementing an automated system—which is available; it has been implemented in many states in the United States of America. This is not creating new technology. It's simply taking technology that is already being implemented in other jurisdictions and saying to the 400,000 uninsured motorists in this province, "We are serious about ensuring that you will respect the law of this province, and we will no longer stand for fraud"—because that's what it is—"and we will no longer stand for uninsured motorists passing on the cost of their negligence to law-abiding citizens in this province."

So I call on the Minister of Transportation to prioritize this issue and to work with the Insurance Bureau of Canada, to work with our stakeholders and to ensure that this matter is dealt with.

I have, and I'm going to read into the record somewhat later, a letter from Commissioner Julian Fantino, who is very supportive of this resolution on behalf of the men and women who are on the front lines of police services in this province. I also have supportive comments and recommendations from stakeholders of the

insurance industry asking this Legislature not only to support this resolution, but, through supporting the resolution, that the Minister of Transportation would in fact make this issue a priority for his ministry and for the government of Ontario.

**The Acting Speaker (Mr. Jim Wilson):** Thank you. I too would like to welcome to Queen's Park Debbie Virgoe and extend the sympathy of this House to you for your tragic loss.

Further debate?

**Mr. Michael Prue:** I would like to start by indicating to the Legislature that I will be supporting this motion because, really, something has to happen. Something has to happen to get people who are driving automobiles, motorcycles, other vehicles on our highways to have insurance.

We have all run into instances in our lives or know of people who have run into instances where there has been a traffic accident, sometimes with horrific results, where the driver has no insurance. I only think of my colleague, who works with me in my office, when her son was involved in a motor vehicle accident of no fault of his own. The car was T-boned and destroyed by a young driver with absolutely no insurance. Where does a family go in a situation like that? Absolutely no insurance, they're not at fault, the car is gone, and there's a young driver to blame, who was driving probably recklessly on the street and causing accidents. That's just but one incident, and it was not a severe one. There was no loss of life, just the loss of property.

But we know that there are hundreds if not thousands of cases like this each and every year. We know that there are people out there on the streets who are driving—and the sobering statistics, given by my friend who introduced this bill, are absolutely right: They were involved in more than their fair share of accidents, they're involved in accidents and driving while suspended and reasons that they don't have insurance. We need to make sure that our roads are safe, but we doubly need to make sure that the people who have ownership of that space of the road on which they are driving are safe as well.

One of the ways to do this is to make sure that they are insured, to make sure that what is required of them, we require of every single driver. There are literally far too many drivers on the road who are illegal, and I had not really turned my head around to thinking about somebody who gets insurance and pays over 12 months. Yes, it's true. When I get my insurance card, I generally pay for all of it. On occasion, in my younger days, I would pay six months at a time. But it's true, once I had that piece of paper, no one has ever questioned me. No one has ever questioned, "Are your payments up to date?" No one has ever had any proof that it's up to date. Nobody has ever done anything.

Now there was a time—and it wasn't all that long ago—when computerization was not possible, but when I see the police vehicles today there is an on-board computer where they can check out all kinds of information.



They can check out outstanding warrants, drivers, non-paid fines, a great many things. I do not think it would be onerous upon the police or anyone else in a law enforcement situation to have there whether or not the insurance payments were up to date, whether or not the person was duly insured, whether or not there was some other infraction of the law.

So I commend the member for bringing this forward. It is not an idea, to be quite blunt, that I would have thought of, because you think that most people are insured until you go back and look at the statistics, when you go back to see how many uninsured drivers there actually are.

So I ask everyone to think about the reason why there are so many uninsured drivers. Quite frankly, the reason that there are so many: There are those who can't get insurance because they are such horrendously bad drivers, because they have conviction for driving under the influence, they have convictions for speeding, for doing all kinds of things against the Highway Traffic Act, and some of them against the Criminal Code, that they can't get a licence and therefore they can't get insurance and they're out there driving anyway. They are a percentage, and I grant you, a good percentage of the ones that are out there. But we also know that those drivers who are young drivers often drive without insurance because it is just way too expensive. So when we turn our minds to this, we should also turn our minds to the expense that it has caused, and it causes people not to be able to afford the insurance.

This is troubling to me today, too, and I know it's not directly related to the bill but it is a cause, it is a side factor that I think needs to be talked about. Ontario motorists are facing the biggest increases in insurance premiums since the province temporarily froze premiums in late 2003. The latest round of increases approved by regulators has brought the average increase over the 12 months to 7.8%, with some insurers raising rates by twice as much, and I just want to name some of those. Policyholders with CAA, Scottish and York, COSECO and TD general insurance companies will see their rates rise by 10% or more when policy renewal statements start arriving over the next several months. Don Forgeron, president of the Insurance Bureau of Canada says double-digit increases, including some at companies with lower average increases, may signal worse to come. I think that we need to turn our minds to that. We know that there are—I think the figure used by my friend here was 400,000 uninsured people on the roads today. As insurance rates start to rise, so will the number of uninsured people on the streets.

**Mr. Peter Kormos:** It doesn't happen in British Columbia.

**Mr. Michael Prue:** Okay. My colleague wants to get into this; I'm going to leave him time to do it. I want to give him time on this. We need, as a Legislature, to make sure—and I know I can't convince my friends opposite for government insurance; I'll let Mr. Kormos talk about that. But I do want to say that if they don't want to go

down that route, they have to make sure that insurance rates stay reasonable so that people are not driven into driving without insurance and all of us suffer as a result. I would like to leave time for my colleagues, and so I will sit down at this moment.

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**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Michael A. Brown:** I first would like to salute my colleague for bringing this resolution to the floor. Mr. Klees was once the Minister of Transportation in this province and I found him most fair. He helped me with a constituency difficulty; we had a very unsafe road situation. I thanked Mr. Klees then and I thank him now for solving a problem on Highway 17 near Desbarats and Central Algoma Secondary School.

I just want to say up front that I am supportive of his resolution. I'm supportive because the government understands that this is a real and important situation to deal with. To that end, we have been speaking, as late as over the summer, in consultation with the Insurance Bureau of Canada and other stakeholders in a way to make exactly what he's asking for in this resolution take place. So he is showing leadership in this issue. The government is already there, and we will be working with him to iron out some of the technical difficulties there are with communicating between the insurance companies, the government, and obviously the police and the licence issuing offices.

So I want to tell him that that is going on. It may not be at a pace that either he or I are happy about, but we are, at this very moment, working to that end. There are some difficulties, and I think he would appreciate right now where individual insurance brokers do have some. Occasionally, there are lag times between them informing the Insurance Bureau of Canada of insurance—anyway, there are technical difficulties. But we fully understand that 400,000 drivers out there who are driving cars that are not insured is not a good thing for the safety of Ontarians or the safety of anybody on our roads.

I would, as an aside, point out that this is the very member across the floor, though, who believed that American truckers should not have to obey the rules of Ontario's roads when—

*Interjection.*

**Mr. Michael A. Brown:** I know, but it's just too rich. He thought we should have an amendment to one of our bills so that they could play by their own rules in Ontario.

It is important, however, to understand that the government policy of improving safety on our roads is an ongoing thing. I just want to tell you that there are already tough penalties in place by statute. If you're driving without insurance, there's a fine of up to \$25,000 on your first offence and up to \$50,000 on the second offence, with the possibility of a driver's licence suspension for up to one year. Currently, anyone registering or renewing their licences must declare that they have valid insurance when they renew their vehicle permit. Anyone who fraudulently claims to have valid insurance is



subject to a fine of up to \$500. So that's just at the vehicle licence issuing office. We agree though, as I said, that a better verification system is sorely needed.

We have, as a government, done a number of things, though, to increase Ontario's road safety. We are the safest road jurisdiction in all of Canada; actually, all of North America, and we need to keep it that way.

We've increased the warn range sanctions effective May 1, 2009. Drivers caught with a blood alcohol concentration of 0.05 to 0.08 are subject to a three-day suspension in the first instance; seven days for a second instance, and it requires the drivers to take an alcohol remediation program; 30 days from the third instance, and it requires drivers to take a remedial alcohol treatment program and have an ignition interlock condition on their driver's licence. That's for between 0.05 and 0.08. That is an important addition.

All drivers under 21 must have a blood alcohol level of zero. Police are authorized to impound for seven days the vehicles of anyone who receives an administrative driver's licence suspension for blowing over 0.08 or refusing to provide a breath, blood or bodily fluid sample.

I note that important changes to our graduated licensing system will help our novice drivers become better drivers, and shortly Bill 118 will be proclaimed: our Countering Distracted Driving and Promoting Green Transportation Act, which is the famous ban on cell-phones and other electronic instruments in cars.

So there are a number of safety initiatives under way. We believe the government is working very diligently on the file that the member suggests. We are supportive of his efforts, and we hope he continues to be supportive of ours.

**The Acting Speaker (Mr. Jim Wilson):** Thank you. The honourable member from Parry Sound–Muskoka.

**Mr. Norm Miller:** I'm pleased to have an opportunity to support my colleague the member from Newmarket–Aurora and his resolution. The resolution is that, in the opinion of this House, the government of Ontario should introduce legislation to implement an automated insurance verification system that shall be designed with the goal of identifying motor vehicles that are being operated on Ontario roads without the required insurance coverage and shall provide accurate and current access to motor vehicle insurance coverage information for persons and agencies charged with the enforcement of motor vehicle insurance requirements, such that police officers can determine the validity of the insurance of a vehicle and that a licence-issuing office can have the ability to confirm in real time that insurance coverage is valid, and that the Highway Traffic Act be amended to provide for the impoundment of the vehicle being driven by an uninsured motorist.

I support that resolution. Frankly, I think it's a no-brainer. To be perfectly honest, I was quite surprised that the information that you fill out when you are getting your new licence plate to do with insurance coverage, which anybody who owns an automobile, I'm sure, has done if they've gotten a new licence—I'm quite surprised

that in fact nothing happens with that information. It seems unbelievable.

I think there's definitely a problem out there with a lot of people who don't have insurance on their vehicle. For one thing, it's against the law, as was just pointed out by the member from Algoma–Manitoulin, but I also believe it has the effect of making everyone else's insurance more expensive. As the member from Beaches–East York stated, he feels that as insurance costs rise, the number of uninsured will also rise. The effect of those people driving without insurance, I believe, costs us all more money.

The fact is that in Ontario we have the most expensive automobile insurance in North America. Many people may not be aware of that. You might have thought that you were paying a little bit more, but we have the most expensive insurance in North America, 25% higher than most other provinces, and yet, as the member from Algoma–Manitoulin stated, we have the safest roads in North America. Did you say the safest roads?

*Interjection.*

**Mr. Norm Miller:** We have the safest roads in North America and the most expensive insurance, so something doesn't make sense here.

I note that FSCO has done a five-year review of insurance, and they've made a number of recommendations. I think those recommendations will need to be acted on. But this is something that just makes sense that is being suggested by the member from Newmarket–Aurora.

In talking about the affordability question, I would just like to talk a bit about rural and northern Ontario and the fact that we have an insurance affordability problem right now. The government's going to make it worse when they bring in the harmonized sales tax, which will mean an 8% increase to the cost of gasoline for all vehicles. That particularly hits rural and northern Ontario.

I think of some specific instances where the cost of insurance has come to light for me based on some of my constituents. For example, I had a young gentleman, Daniel Bradbury, operating his own business in Muskoka, Daniel's Computer Services and Web Design. He first approached me in 2005 about the high cost of automobile insurance because he was a young male. I don't know his exact age at that time, but between 15 and 25. He wrote to me, "As you may appreciate, business people and young entrepreneurs generally work very hard to grow their businesses and usually have a higher level of public accountability and responsibility as they are aware that their continued success is substantially dependent on their personal actions ... even with 'clean' driving records, rates are high ... in essence the present insurance arrangement punishes all drivers with extremely high rates. My company is positioned in the technology sector and people require reliable, prompt on-site services." In other words, he has to drive his car to do his job of computer service.

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Despite obtaining professional driver training, Daniel notes, "The rates I have been seeing are nearly \$7,000 or



more for a 12-month policy and a \$1,000 deductible." In 2005, in the GTA, one company quoted Daniel \$11,000 for a 12-month policy.

He also pointed out that some companies would not even consider insuring him despite his clean driving record and driver training. So obviously, a young entrepreneur who was setting up his own business in a rural area had to have a car. That's a huge impediment if you're not just going to university or you're choosing another path. Perhaps you're out of high school and getting some experience as a tradesperson or starting your own business, as Daniel did. That's just a huge, huge impediment to being able to get affordable insurance.

Just returning for a moment to FSCO's review of insurance—that's the Financial Services Commission of Ontario—they have a number of recommendations that have come out of their study. From that, I note that there are essentially three categories of accident victims. There's the catastrophic, which is the most serious injury and includes the loss of limbs, brain injuries and wheelchair confinement. The cap for all assessment, treatment and rehabilitation costs for these victims is \$1 million, and FSCO's recommendation is that that cap remain the same. I should note that the industry suggests that there be no change to the defining regulations or the verbal threshold, or that the gains made from the changes will be neutralized over time. There's the non-catastrophic, and the recommendation is that that be reduced from \$100,000 to \$25,000. FSCO also recommends allowing consumers to buy additional insurance to cover up to \$100,000. And then there's the minor strain and sprain injuries.

But I think it's worth noting that the average no-fault injury claim in Ontario is \$38,000; in New Brunswick, it's \$11,700; and in Alberta, it's \$3,000. In a lot of that, the costs go to assessments. So we definitely need some fixing to happen to make our insurance costs more affordable.

I think this resolution today is just dealing with an aspect of insurance that, frankly, I thought was already covered. I'm amazed that with all this filling out of forms to get our licence plate, noting the insurance company—I'm quite surprised that nothing happens. What the member is looking for, I assume, is that, for example, when a police car pulls you over and they punch in your licence plate, part of the information that would come up through a real-time verification system would be whether you have current and valid insurance. That just seems to make sense in this case. I note he's encouraging the Minister of Transportation to act on this, to fix this loophole and, frankly, to better enforce the law that is in place in this country.

I do support the member from Newmarket–Aurora in his resolution and I hope the government acts on that resolution.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Kormos:** Thank you kindly, Speaker. My gratitude to my NDP colleagues, who made sure that I

had some time and forfeited some of their own time to speak to this resolution. New Democrats, of course, have made it clear we support this resolution.

I've always enjoyed Mr. Klees's private member's business, because, for instance, with his advocacy for organ donation, it's given me yet another chance to stand up and talk about the need for radical reform, the need to introduce a presumed consent, dragging organ donation into the 21st century. I'm delighted with this resolution, because it permits me to listen to Mr. Miller from Parry Sound–Muskoka, a proud Conservative, proclaim that Ontario has the most expensive auto insurance in every jurisdiction in all of North America. So here we have the Conservatives joining with the New Democrats in agreeing that the private for-profit system in Ontario is more expensive than those other provinces in Canada that have publicly owned, non-profit auto insurance. I'm proud to have Mr. Miller and the Conservatives join us New Democrats in that clear understanding. I'm proud to hear Mr. Klees talk about the huge number of uninsured motorists, something we've been talking about for years.

Now, Mr. Prue has already made mention that one of the factors is affordability. I've seen the stats, the averages, and I tell you that people have been getting whacked lately, as Mr. Marchese would say: \$500, \$600, \$700 increases—arbitrary ones. A change of one letter or number in your postal code can jack up your insurance rates to unaffordability, and the insurance companies in this province—the private, for-profit insurance companies—haven't been very serious. Short arms and deep pockets: They're real good at collecting premiums but not so good at paying out benefits, and now they're advocating for even reduced levels of benefits—higher premiums, lower benefits.

It ain't rocket science to figure out how private insurance companies make money. They make money by raking in the dough and then making sure that when a person needs insurance coverage, they are frustrated and confronted with hurdles to the point that they often give up.

I remain an advocate and a fan of public auto insurance, and so do my NDP colleagues, for some of the same reasons Mr. Miller states: Ontario private, for-profit—the highest rates of any jurisdictions in North America.

You see, in the ICBC system, the model I admire most, it's almost impossible to have an uninsured motor vehicle on the road, because the purchase of insurance is tied in to the issuing of tags, and the systems are integrated. They don't have 400,000 uninsured vehicles in British Columbia. They don't have 1,000 uninsured vehicles, and similarly in Saskatchewan and Manitoba. Now you've got to understand that public auto insurance has existed in Saskatchewan since the days of Tommy Douglas, the CBC's greatest Canadian, and in British Columbia since the days of Dave Barrett, and no successive government, Conservative or Liberal, has dared tinker with those systems.

Some people have heard this speech before; some of the newer members may not have. But I'm proud to give



it again. If we really want to address the issue of affordability—look, the larger the risk pool, the less expensive it is. That's what insurance is all about: the risk pool. When you've got 120 different companies, you've got 120 different risk pools that vary in size from significant to tiny. That's not affordable. When you have one single risk pool, you can track drivers, track vehicles, track highways better.

British Columbia has a bonus-malus system. For every year of good driving, you get rewarded; for every year of bad driving, you pay. My observation is that good drivers in British Columbia pay a lot less than good drivers in Ontario. Bad drivers pay more, and I say that's the way it should be.

We're voting for this resolution. I think the acknowledgment of this problem—it's like a 12-step recovery program for my Liberal colleagues—is one step toward recovery, one step toward finally getting a public, not-for-profit auto insurance system here in the province of Ontario. We would be the envy of every other driving jurisdiction in the world. They would be emulating us. For the life of me, other than for the fact of Bob Rae, I don't understand why we haven't done it yet.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Bob Delaney:** It is always a pleasure to follow my colleague from Welland, especially when I'm speaking to a resolution from my colleague and, if I may say, my friend from Newmarket–Aurora. I'd like to begin today by acknowledging the member's campaign for the leadership of his party. He made a very strong showing—it was his second try at it—and spoke very eloquently and passionately for a very definable segment of Ontario. I just want to put on the record the fact that I admire his courage and his convictions, to have put his record on the line and to have stood up for what he truly believes in. Congratulations.

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The member speaks to something that I think is near and dear to all of our hearts, which is the cost of our auto insurance, and in particular here the fact that the resolution that he proposes asks Ontario to do something sensible, which is to ensure that we get rid of the free riders in our system. If we think that insurance costs are high enough, think of what we could do should this resolution be turned into legislation and then into part of the motor vehicle act, in which the costs borne by those of us who pay our premiums are reduced by those people who don't pay premiums and who are disproportionately likely to cause harm, to get into an accident and to draw upon the pool that we who drive safely pay into.

I think this is a good resolution. I think this is one that rewards you if you drive safely, with a good record. I think it's especially important if you live here, in the greater Toronto area, and especially if you're a young driver. I look at the premiums that I'm paying and I am truly shocked when some of my friends and the children of my friends are pointing out that they're paying between five and 10 times what I'm paying as a more

mature, experienced driver. This is one motion that, if enacted and turned into legislation, would contribute to bringing down those costs that young drivers have to pay, which I think are unconscionable on the part of the insurance companies.

I do have one reservation, and I want to hasten to say that this is not a showstopper. If I were to use the language of something I did before I was elected, which was software development, this is merely a bug, and it's a very fixable bug. The member proposes measures that include the impoundment of a vehicle at the roadside. The insurance industry has a valid point in pointing out that indeed there are certain situations in which there's a lag time between an individual either obtaining insurance for the first time or renewing the insurance, the insurance broker or the insurance company reporting it, the data entry onto the system and the time in which it's live and in real time. This is not a problem that should derail this initiative, which I think is an excellent initiative. It's worth putting on the record, though, that this is something the government will definitely need to address. I'm sure the member will volunteer the members of his riding association as beta tests in this regard.

There are a couple of things that I'd just like to say in my last few minutes here. The member for Algoma–Manitoulin did point out that there are already tough penalties for driving without insurance. I think it's time that we put those penalties into force and really gave them some teeth: a fine of up to \$25,000 for a first offence; a fine of up to \$50,000 for a second offence and the possibility of suspending your driver's licence for up to one year. I think that really should read "the probability of having your driver's licence suspended" if you're caught driving without an insurance policy.

People who fraudulently claim to have valid insurance policies may be fined up to \$500? I think that should be a little bit higher.

But we need to know if a policy is still in force, and that's what the member's resolution talks about. We need to have some method of doing authentication and verification at the time that a roadside check is conducted that says, "This person either does or doesn't have a valid insurance policy." That's where addressing that bug, that delayed time in between when a policy is taken out or renewed—or if indeed an individual has been making payments and has ceased making payments, but has what appears on the surface to be a valid document which is in fact not valid. We do need to address the point at which we lower the probability of, again, what's called in software development a false positive, in which on a system it says you don't have insurance when you do, or you do when you don't. Should we get that particular glitch worked out, I think these proposed measures are not only reasonable but sensible and are ones that Ontario should definitely enact.

We have something in the neighbourhood of 11 million registered vehicles in Ontario, with nine million drivers. There are a lot of people driving without insurance who are slipping through the cracks and who are



costing those of us who drive sensibly, who drive responsibly and who take road safety very seriously—those are the people who are driving up the cost of insurance that my colleague from Parry Sound–Muskoka spoke to very eloquently. I think the member for Newmarket–Aurora has proposed a resolution that, if it is in fact turned into legislation and brought into force, is going to contribute greatly to bringing down the cost of insurance, and it would do us credit here in the Legislature to support it.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Gerry Martiniuk:** I'd merely like to take this opportunity to congratulate my colleague the member for Newmarket–Aurora for really what is an elegant solution to an ever-rising problem. We have the highest insurance rates in Canada, and a good part of those rates are a direct reflection of uninsured drivers. I believe that this resolution, if adopted and transformed into legislation—we already have the computer power that keeps track of even our violations of the Highway Traffic Act, and surely it would not be a great expense to add to that data the insurance provisions, cancellations of policies and that kind of thing. I believe that, if adopted, this resolution, transformed into legislation, will result in safer roads and cheaper insurance rates.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? Would you like to take the time here, plus your two minutes?

*Interjection.*

**The Acting Speaker (Mr. Jim Wilson):** Mr. Klees.

**Mr. Frank Klees:** I want to thank my colleagues for their participation in this debate and for their support, their encouragement: the members for Beaches–East York, Welland, Algoma–Manitoulin, Mississauga South, Parry Sound–Muskoka and Cambridge.

What I didn't want to do was give my colleague from Welland a platform to advocate for government insurance; however, that is the freedom of this place and it was, I suppose, to be expected. What is important is that I heard fairly unanimous support for this resolution, and I trust that the minister, then, will in fact take the direction of this Legislature and ensure that this issue is prioritized.

I do want to take the opportunity to welcome, as well, to the Legislature Mrs. Eleanor McMahon, who joins her friend Debbie Virgoe. Ms. McMahon's husband, Sergeant Greg Stobbart, was killed in a vehicle accident; he was cycling at the time. Since that time, Ms. McMahon has been advocating very effectively for road safety issues on a number of levels. I want to thank her and, again, Debbie Virgoe for their input and encouragement to bring not only this issue but issues similar to the floor of the Legislature.

I want to read into the record, as I mentioned earlier, a comment from Julian Fantino, the commissioner of the Ontario Provincial Police. He says, "I am pleased to provide you with an endorsement of your resolution suggesting legislation be introduced to implement an automated insurance verification system designed with

the goal of identifying motor vehicles that are being operated on Ontario roads without the required insurance coverage...." He goes on to say, of course, that the Ontario Provincial Police welcomes any initiative by this Legislature to improve the safety of all motorists in the province of Ontario.

I also want to reference an e-mail and conversation that I've had with some members of the insurance industry. I have an e-mail here from Tony Irwin, who is the external affairs manager of the Allstate Canada Group of Companies. He also makes the point that the "Allstate Canada Group which includes Allstate Insurance Company of Canada, Pembroke Insurance Company and Pafco Insurance Company is supportive of any initiative that keeps uninsured vehicles off the road."

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I believe that, without question, this is an issue on which there is very broad consensus that something must be done. I think the general public will find it disconcerting and disturbing that there is not such a system already in place in the province, and that, in fact, information they provide to licence-issuing offices is simply ignored and not dealt with. If we have done nothing today but raise awareness with the public to the downfall of this system and the fact that it needs to be addressed—as the member from Algoma–Manitoulin assured us earlier in his comments, the Ministry of Transportation is going to prioritize this. I did have a conversation with the Minister of Transportation earlier in the week, in which he assured me that this is going to be a priority for his ministry. He welcomed this resolution, because he felt it may well assist him in convincing his cabinet colleagues that the appropriate resources should be allocated to this system.

Again, I appreciate the opportunity to engage in this debate with my colleagues and look forward to action on this important issue on the part of the government.

**The Acting Speaker (Mr. Jim Wilson):** The time for Mr. Klees's ballot item has expired. We'll vote on Mr. Klees's resolution in about 50 minutes.

## TOBACCO TAX REDUCTION ACT, 2009

### LOI DE 2009 SUR LA RÉDUCTION DE LA TAXE SUR LE TABAC

Mr. Barrett moved second reading of the following bill:

Bill 199, An Act to amend the Tobacco Tax Act to reduce taxation / Projet de loi 199, Loi modifiant la Loi de la taxe sur le tabac afin de réduire les taux de taxation.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Barrett moves second reading of Bill 199, An Act to amend the Tobacco Tax Act to reduce taxation.

Pursuant to standing order 98, Mr. Barrett, you have up to 12 minutes for your presentation.

**Mr. Toby Barrett:** I rise to talk about illegal cigarettes and how government is allowing them to destroy the



fabric of our communities not only across Ontario but across this country. For that reason, I'm here today to debate my private member's Bill 199, the Tobacco Tax Reduction Act, 2009.

I spent most of the summer writing about tobacco and the ugly turn that industry has taken over the past several years. It's an ugly turn that is created by negligent and ineffective government policy and, more specifically, tax hikes. At 50%, Ontario has the highest percentage of illegal tobacco of almost anywhere in the world. Today, Ontario's world-recognized tobacco control policies are no longer working. Essentially, this province has gone from first to worst.

Much of the supply of contraband smokes generally comes into Ontario through the Akwesasne reserve on the Ontario-New York border and is then distributed throughout the province. Losing control of the tobacco trade has had devastating effects not only on health but also economically and socially. Government inaction justifies participation in the illegal trade, and it does suggest to some that tax evasion is tolerated. One need go no further than Caledonia to realize the proliferation of contraband tobacco, which feeds the cynicism some feel with respect to politicians and the effectiveness of government.

When it comes to tax policy, tax hikes are no longer forcing people to quit smoking. They force them to find a cheaper alternative, whether it's from the trunk of a car or at a smoke shack at Six Nations, Caledonia or elsewhere across the province. The law of diminishing returns was reached a long time ago. In my view, tax cuts, coupled with enforcement, border control and education, are ways that this government—any government—will win this war on organized crime.

According to an independent research firm, GfK Research Dynamics, almost half the cigarettes consumed in Ontario last year were contraband. If the rates of contraband tobacco continue to rise at this pace, the level of contraband use in Canada could rise to 80% by the end of next year. With respect to Ontario, I suggest that Mr. McGuinty's war on tobacco has been lost.

A high-tax policy does not affect smokers who pay no taxes at all. Their consumption continues to go up. There are those who argue that high taxes are necessary to prevent smoking. The problem is that well over half the smokers in Ontario don't pay any taxes at all. If tax policy plus enforcement, education and border control is successful in breaking the back of the illegal trade, we can predictably expect governments to again ratchet up tobacco taxes. Again, this will limit legal consumption.

Before I became an MPP, I spent 20 years with the Ontario Addiction Research Foundation. It was the same then as it is today: When you tax too high, you eventually hit that point of diminishing returns and eventually consumers hit the black market.

This is from the Canadian Convenience Stores Association, a status report on contraband: "The RCMP has clearly shown that the most recent rise in contraband tobacco coincided with a substantial tax increase on

tobacco products beginning in 2001. Over this time ... both levels of government more than doubled taxes on tobacco. This has created a significant price differential between legal and illegal tobacco products. This differential provides the 'room' for significant criminal margins to exist, while maintaining an attractive (albeit illicit), consumer price point." That RCMP report also found that in 2008, 26% of youth smoking in Ontario is linked to contraband tobacco.

This tax cut resolution is not new. In 1994, Prime Minister Jean Chrétien, Premier Bob Rae and four other provinces realized illegal tobacco was out of control. They dropped taxes and shut down literally hundreds of illegal smoke shacks overnight. During the 1980s and 1990s, high tobacco taxes and high retail prices fostered smuggling. By 1991 it was believed that one in every nine cigarettes in Canada was contraband, yielding \$709 million to smugglers. In 1994, only 11% of tobacco was illegal, considerably less than today's 50%. Why was 11% at that time considered out of control but 50% in 2009 is not?

My question is, is this government condoning illegal tobacco consumption? Has there been a change in values in our Ontario government with respect to illegal activity? I wonder, does someone have their hand open behind their pocket? Where is the motive for the acceptance of this kind of illegal trade? Is illegal tobacco, it has been suggested by some, this government's way of helping reserves out of poverty? If so, this is backwards thinking. This is criminal thinking, in my view.

A few months back, Cancer Care Ontario and Hamilton's public health department were quoted in the Hamilton Spectator. I will read a quote: "We are very concerned about the impact of inexpensive contraband cigarettes on smoking rates," said Rob Cunningham of the cancer society. "We do know it's very bad in southwestern Ontario and has gotten worse in the last couple of years."

Jan Johnston, a public health nurse: "It's the contraband that has the negative effect on all the progressive tobacco control measures because of the availability and affordability."

This McGuinty government has spent \$13 million on smoke-free Ontario, \$7 million on cessation ads in recent years, and yet the number of smokers does not seem to be going down. Again, why would it? If consumers can purchase baggies of contraband smokes for as little as \$8 to \$10 for 200 cigarettes—smokes purchased either out of the trunk of a car or at a smoke shop?

**1520**

A recent study of high school smokers—this was published in the Canadian Medical Association Journal—indicated anti-smoking strategies aimed at young people are not working due to the accessibility of cheap, illegal smokes. "The widespread use of First Nations/Native brand cigarettes, especially in Ontario and Quebec, presents a serious challenge to tobacco-control strategies..." warned Dr. Russell Callaghan of the Centre for Addiction and Mental Health, my former employer.



The National Coalition Against Contraband Tobacco has been travelling the country fighting the spread. This is a group that was I think recently founded by the Canadian Convenience Stores Association. The coalition includes the Canadian Chamber of Commerce and the Customs and Immigration Union. Their mission: again, to raise public and government awareness about contraband cigarettes and to pressure provincial and federal governments to take action.

This week, the Toronto Sun ran a story on the coalition. They spoke with their spokesperson, a retired Toronto police staff superintendent, Gary Grant, who said teens are increasingly buying cigarettes from street dealers.

*Interjection.*

**Mr. Toby Barrett:** Yes, some here may well know the street dealers that are selling tobacco.

Mr. Grant says what I have been telling this government for years: Teens are buying from a vehicle parked around the corner from their school, and sometimes they are buying more than just illegal smokes" I'll continue to quote the police officer:

"They're starting to smoke at an earlier age and they're learning it's okay to break the law. They're also finding that they have access to a lot more than just contraband cigarettes—for instance, maybe a little ecstasy for the weekend, some grass or some other types of drugs, maybe some booze, maybe even a weapon.

"And this is happening to people's teenage sons and daughters as young as 12 and 13 years old."

The story goes on to say, "An RCMP investigation into illegal cigarettes—manufactured without controls in China, India, Canada and US—found they can contain insect eggs, dead bugs, mould and even human feces."

A recent report from an organization called the Center for Public Integrity, an investigative journalism organization out of Washington, detailed how terrorists and insurgencies around the world are now financing their organizations and missions after the crackdowns on fundraising post 9/11. Terrorist groups worldwide have been turning to various criminal rackets like contraband tobacco.

Smuggling cigarettes has proven to be lucrative and a low risk to fund these kinds of operations. The report goes on to list groups like al Qaeda, Hezbollah, Taliban, Hamas, Kurdistan Workers' Party and FARC, a group in Colombia.

In June 2005, I brought this type of information to the floor of this House. I told the Minister of Community Safety and Correctional Services that government policy had created close to 300 smoke shacks locally in my area—New Credit and Six Nations. Six Nations police and the local newspaper are reporting that the benefactors of this were the Hells Angels and the Vagabonds—organized crime.

I quoted the newspaper at the time: "There is specific evidence of the presence of major motorcycle gang operations, the Italian mafia, Russian mafia, Sri Lankan and Asian mafias, as well as Jamaican drug gang operatives working in the relative safety of native communities."

Today, the RCMP estimate 100 criminal organizations are involved in the tobacco trade.

People want something done about this, and surveys indicate they want to fight tax-free tobacco with tax cuts on the legal trade.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Michael Prue:** I rise, and with the greatest of respect to my colleague Mr. Barrett, I cannot support this bill.

I have been in public office now for nearly 21 years and the first 13 of those years I spent at the municipal level. Almost all of those 13 years, save and except that period when I was the mayor of East York, I served on the boards of health of, first of all, the borough of East York and latterly of the megacity of Toronto. I had the opportunity, over all that time, to work with absolutely wonderful people who were concerned about tobacco.

I think most often about the late Dr. Sheela Basrur. She was our associate medical officer of health in East York and became our medical officer of health, went on to become the medical officer of health for the city of Toronto and finished her career as the medical officer of health for Ontario. She was passionate about the whole issue of tobacco, and we would have many discussions, over all those years, about stopping young people from smoking.

The biggest thing to stop young people from smoking was the price point: to raise the cost of cigarettes, through taxes and other things, to make it prohibitive for people to actually start in the first place. For us to take the taxes off, to reduce the taxes and the cost of cigarettes to where they were in the mid 1990s, in my view—and I'm sure in her view if she was here today—would be a retrograde step. It is trite to say that young people get involved in smoking largely because they think it's an image builder—it's what their friends are doing; there's a lot of peer pressure involved—but they stay involved in smoking because they are able to afford it.

Now, there is some talk here about illegal cigarettes, and I would be the first to admit that there are contraband cigarettes flooding into this province in ways that have never happened before. You can go through some of our First Nations communities, particularly those along the border with the United States—down to Akwesasne, in the Picton and Cornwall area; the First Nations and Six Nations reserves in and around Hamilton and Fort Erie—and you will find cigarette shacks. You will find stores there that are selling cigarettes, ostensibly to First Nations but literally to anyone else who will buy them. You can also find—I am not naive; I've dealt with the police in 54 and 55 divisions in Beaches—East York about it—people who set up their own cigarette shacks, sometime in their own apartment buildings, selling cigarettes at all hours of the night for a fraction of the cost that would take place in local convenience stores.

All that being said, we still have to maintain the taxes. The problem here is not because the taxes are too high; the problem is that we are not enforcing the laws of



Ontario and the laws of Canada. With the greatest respect, I think that's where the bill should have gone.

It is possible for us to do a number of things. I received a copy of a letter from Mr. Perley, who is the director of OCAT, the Ontario Campaign for Action on Tobacco, and he sets out a number of recommendations or talks about a number of things that can be done to lessen the amount of illegal cigarettes that are coming into the province.

He talks about "banning the supply of raw materials." Now, we know that the raw materials come not only from Ontario farms, in some cases, but much of it comes from offshore—from the United States, from China and from India. We have no idea what is contained in that tobacco: the number of pesticides, animal feces and other things. One of the things we have to start doing is being tough on the importation of this tobacco that goes into illegal or questionable cigarette manufacturers.

We need to look at "increased funding for the enforcement and the active involvement of all levels of policing in Ontario...." I think this is part of the problem. When the police set up and monitor sales of illegal tobacco, they can really be quite effective, because what takes place is often very brazen. You need only go by a cigarette shack and you'll see the signs and the prices of all the cigarettes. Really, those who are not entitled to buy at that rate—those who are not members of the First Nations community—ought not to buy it and can be stopped, and when the police do stop them, the sales plummet.

1530

What we need to do as well, that has been set out, is progress toward shutting down unlicensed manufacturers in Canada and abroad that are selling the cigarettes. We know, or the police know, where those cigarettes are being manufactured. We should shut them down. I don't know what law will be required, but I'm sure that if a law came forward in this House that would allow the province of Ontario or a request to the federal government to shut down illegal manufacturers of cigarettes, I for one would support such a bill.

There is also the suggestion that a comprehensive public education campaign about the damage caused by contraband tobacco should take place. Now, I am not a smoker. I know people who have smoked contraband cigarettes because they are cheap, but I am also advised by all of them that the taste of those cigarettes is even more foul than the taste of the cigarettes that are sold in the corner store, because they are very strong. They are manufactured without safeguards, the filters are not of the same quality, the tobacco is not of the same quality, and quite frankly, I think we need to do that kind of education as well.

*Interjection.*

**Mr. Michael Prue:** My colleague is making another suggestion. I'll leave it for him to make the suggestion in the House.

So I stand here in opposition to the bill because I think that there are other things that can be done. I know the

member thinks passionately about this. I know that the member represents the few remaining tobacco farms left in Ontario and the farmers who work there. I know that he cares passionately about the cigarette shacks set up all across Ontario, because I have heard him here so many times. He has come with a solution; I just quite frankly can't agree with that solution.

When the federal and provincial governments did this back some 15 years ago to stop the contraband, they did so not because they were taking action against small-time retailers on First Nations reserves and those selling cigarettes out of their apartments; they took the action because the chief perpetrators at that time of the crime of the smuggling and selling of contraband cigarettes were our own giant tobacco companies. They were Benson and Hedges and Imperial Tobacco. And it was a concerted action not just by the province of Ontario but by the Canadian government and four of the largest provinces that went ahead and did this.

To my mind, we need to do something else. We cannot emulate and go back to those days. We're not acting in concert—this is not seeking to act in concert—with other provincial governments and with the federal government. The problem is very different, and I would suggest that we find a better solution.

I believe with all my heart, and in honour of the late Dr. Basrur, that we need to eradicate smoking from this province, particularly for young people, and I wait for the day that we do that. I don't think this bill, though, is the answer.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Helena Jaczek:** I too rise in strong opposition to Bill 199, An Act to amend the Tobacco Tax Act to reduce taxation. Lowering the price of legal tobacco products will simply increase consumption, increase the incidence of respiratory and cardiovascular disease and even death, surely something we all want to avoid.

Our goal is for a smoke-free Ontario. This bill is a retrograde step, one that will undermine all our efforts in preventing tobacco use, especially in kids, and all our investments in cessation programs. Fighting the use of contraband tobacco products should be done through enforcement of the Tobacco Tax Act by federal and provincial police authorities, not through meddling with taxation strategies.

As the former medical officer of health for York region, I well remember the disastrous effect of a similar move by the federal and provincial governments in 1994. Tobacco taxes were reduced by approximately 50% to address smuggling of illegal products from the US into Canada. Health Canada's assessment some years later showed an increase in smoking rates and youth initiation of tobacco use, a decrease in tobacco revenues and many excess deaths. Study after study has shown that tobacco use is extremely price-sensitive. In 1994, in the *Yale Journal of Biology and Medicine*, Alexander Ding, from the department of economics at the University of California, found that youth are even more sensitive to price



changes in cigarettes than adults. For youth, a 10% increase in price resulted in a decrease in smoking prevalence of 14%. For adults, for the same increase in price, the smoking prevalence decreased by 2%. In addition, not only was prevalence decreased, but also the quantity of cigarettes consumed, and he concluded, as an economist, "Because cigarette smoking has been linked to an ever-growing list of health problems, the cessation thereof via financial incentives could provide for an effective non-traditional method of preventive medicine."

In 1999, a World Bank review showed that, all else being equal, price rises of about 10% would, on average, reduce tobacco consumption by about 4% in developed countries and 8% in developing countries. In their more recent meta-analysis reviewing 86 studies published to the year 2001 which examined price elasticity of demand for tobacco products, Gallet and List found a mean price elasticity of minus 0.48, meaning that, on average, a 10% increase in price will be followed by a decrease in consumption of 4.8%.

In 2001, Dr. Albert Schumacher, then-president of the Ontario Medical Association, stated, "Price point pressure remains an essential component of tobacco control efforts. Price affects consumption at all levels and in particular has an effect on youth smoking rates and consumption levels. High prices help prevent kids from starting, and if they do start, from smoking as much and therefore from achieving the same level of addiction."

So how should we counteract the low price of contraband tobacco? Well, of course, by enforcing the enhanced measures under the Tobacco Tax Act that have been enacted by our government over the past five years. And we certainly have had successes on this front. My colleague from Peterborough, I know, is anxious to detail these particular successes.

Of course there is more to do, but this piece of legislation is not the way to do it. As Ontario Lung Association president George Habib has said, "Even if tobacco taxes in this province were reduced by 100%, a carton of cigarettes would still sell for more than four times the cost of a bag of contraband. And we would be left with even lower tax revenue for the public health system, more youth starting to smoke, and an increase in preventable and unnecessary disease and death."

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further debate?

**Mr. Gerry Martiniuk:** I'm pleased to rise to support my colleague from Haldimand-Norfolk in regard to Bill 199—a bill, I believe, that would solve the problem of our young people starting to smoke in greater numbers in the province of Ontario.

I personally started smoking at the age of 14 in my first year of high school. It was a different time then. Cigarettes were glamorous and supposedly safe. Everybody smoked, including our movie heroes like Humphrey Bogart, and cigarettes were easy to obtain at regular smoke shops because they were not considered dangerous.

Once you are hooked, you stay hooked. I smoked on and off until about three years ago. Nicotine is a very

strong drug addiction, and I can personally attest to that. It is a physical and mental addiction, some say equal to a cocaine or heroin addiction.

But we have become wiser now. We know that tobacco is not safe. It is a proven killer, and that message has been published and advertised widely. We have banned advertising of tobacco. We have taken our responsibility seriously to protect children and vigorously enforced our laws about selling tobacco to minors. We have ordered our tobacco retailers, at some expense, to screen packages of tobacco from the eyes of children. We have forced tobacco manufacturers to carry anti-smoking messages on tobacco packages. Progress was definitely being made.

Now this McGuinty government has undone all of those weapons and all advancements and put up to 50% of our industry in the hands of organized criminals. These criminals are not bound by any of the progress we have made in the past, and care about only one thing: criminal profits to be made by selling illegal cigarettes. They will sell illegal cigarettes to our children, along with even more powerful and harmful drugs. They're not bound by any laws, decency or morality.

**1540**

And what does our mean old Dalton do-little have to say? Increase taxes by 8% on the GST to make up for the millions that he has already lost as a result of illegal cigarettes. Rather than a campaign to stop the illegal sale of cigarettes to our children, mean old Dalton do-little once again abandons our children, as he has in the past.

As health promotion critic for the official opposition, I'm committed to exploring ways of reducing the incidence of smoking among our young people. While it is comforting to know that a majority of our young people count themselves as non-smokers, we must act now to prevent more teens from smoking and restrict the access they currently have to contraband cigarettes.

It was very disturbing to read the recent study published in the Canadian Medical Association Journal that reported that 13% of Canadian high school students who are daily smokers regularly smoke illegal cigarettes. The study also found that nearly 22% of youth smokers in Ontario and more than 22% of Quebec's young smokers regularly smoked illegal cigarettes. These figures are troubling and I believe this bill will help combat that problem.

A driving factor for young people who choose to smoke is cost. Illegal cigarettes are dirt cheap when compared to the cost of a package of cigarettes purchased in a convenience store—even if this bill was adopted and the taxes were lowered. That's an important thing to remember. Teens can buy 200 illegal cigarettes for a measly \$6 compared to as much as \$80 for the same number of legal cigarettes. This government is protecting young people from second-hand smoke by banning smoking in cars, yet they refuse to act once again when teens take up smoking simply because it is no longer an expensive habit.

Sadly, many of the family-run corner stores where legal cigarettes have been sold have been forced to close because they simply cannot compete against cheap,



illegal tobacco products. These corner stores that remain open report that they are losing almost \$11,500 a year in sales due to contraband tobacco.

I commend the National Coalition Against Contraband Tobacco for the work they are doing to stop the sale of illegal cigarettes in Canada. The group is currently touring Ontario and will bring their message to my region on October 6 at 7 p.m. at the Kitchener Holiday Inn. The coalition's mission is to raise public and government awareness about contraband cigarettes and to pressure provincial and federal governments to take action.

Together, last year the federal and provincial governments lost a whopping \$2.4 billion in taxes. The losses will only become greater as more and more young people take up smoking and as this government continues to sit on its hands and ignore this problem. There are no taxes being collected on these tobacco products that are illegal, and the government is simply permitting it to happen.

A study two years ago on contraband cigarettes in Ontario by the Ontario Tobacco Research Unit estimated that 30% of tobacco sales in the province were illegal, and that has now increased to just under 50%.

This government must act. If they do not, on the solution that's proposed by my colleague the member for Haldimand-Norfolk, the problem will only increase, and once hooked, these children will stay hooked for a long period of time. We're losing the battle now.

Now, not five years from now, is the time to take a stand, and I am supporting this bill.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Cheri DiNovo:** Unfortunately for my colleague from Haldimand-Norfolk, I also am going to vote against this bill. But I want to say that I understand the motivation for bringing it forward. He's acting on behalf of his constituents. I think that something else needs to be done to remedy the plight of tobacco farmers in this province. I understand and have compassion for all the reasons behind the bill, but I don't think this is going to work.

First of all, Ontario and Quebec already have the lowest tobacco taxes in Canada, and yet we have the highest amount of contraband cigarettes. So, that fact alone speaks against this bill. If lowering taxes helped solve the problem of contraband cigarettes, presumably the fact that we have the lowest taxes on cigarettes in the country would have already affected that result, and it hasn't. So the problem there is number one.

I was trying to think of an analogy. I was thinking that we have a problem with contraband guns too, but certainly nobody is proposing that we lower the taxes on legal firearms to contravene the flow into Ontario of illegal firearms. Let me say: Cigarettes are like guns; they kill people. They absolutely kill. In fact, they are more effective and efficient at killing people than guns are in this province. There are about 13,000 deaths in Ontario every year directly related to cigarette smoke. Unfortunately, in a kind of weird, moral way it's not just the smokers who die; it's their children, their spouses and

the people who have to work with them. So, second-hand smoke also kills people.

This isn't going to work. It has been proven that it won't work. It's been proven certainly as something we know, that as you raise taxes, you lower the rates of smoking.

The only other thing I'd like to say is, there's kind of a weird subterranean messaging here which I also find a little bit offensive, I must say, and that is kind of anti-native, as if this is a native problem. It really is not a problem of our First Nations. Obviously—and I think this point has been made—the large tobacco companies were behind most of the smuggling in the early 1990s. Interestingly enough, if you want to enforce laws and make laws work, which is what this is about, certainly there is an aspect of law enforcement that didn't work so well. Not one of those CEOs has been brought to account for what they did and what they continue to do in terms of killing people in this province.

If we want to look at enforcement of the law, which we should, let's look at enforcing that law against those who are actually manufacturing these products that are killing people and not those who are doing a secondary business in them. We don't want to take them on because of course they have high-priced lawyers. I get that.

Unfortunately, I can't support it, but I do understand the motivation behind it. I would certainly recommend to the member that another bill needs to be forthcoming, something that's going to help those farmers transition to producing crops that don't kill people. That's what's needed here, not lowering taxes on cigarettes.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Jeff Leal:** It's a delight for me this afternoon to get a few words on the record in response to my colleague the member from Haldimand-Norfolk and Bill 199.

This is an issue that certainly needs to be discussed. It's an issue that gets a lot of play in the media. It's something that the Ontario government, indeed, is trying to address. I want to get on the record that Ontario has tough tobacco tax laws at work.

Carl Fontaine of Fort Alexander, Manitoba, was sentenced to six months in jail and fined \$338,155 after being found guilty of possession of unmarked cigarettes for the purpose of sale in the Ontario Court of Justice in Marathon. This decision was rendered on September 15, 2009.

Over the last number of years, approximately 67 million contraband cigarettes have been seized in Ontario by ministry investigators and inspectors. So, indeed our enforcement officers and inspectors are out there working, but we recognize that this is a far more complex issue.

On behalf of the Minister of Aboriginal Affairs, the former member from St. Paul's, and the current minister, in my role as parliamentary assistant I travelled to Albany, New York, to meet with legislators at the New York State House to look at the issues they're facing in terms of contraband with the Seneca First Nation and, indeed, the triangle at Akwesasne which involves the



province of Ontario, the province of Quebec and New York state.

Out of that experience and reporting back to the minister, we see that this is a complex issue. It needs enforcement, but there are other issues at play here: certainly economic development in our First Nations communities, the need to implement the recommendations from Justice Linden's observations after his judicial inquiry into the issues surrounding Ipperwash and some of the elements of the Kelowna accord that weren't honoured by the Harper government. So there are a lot of issues at work here. We as a government see the need to bring a comprehensive approach to this issue.

1550

Certainly with that in mind, we have brought together the Minister and Ministry of Aboriginal Affairs, the Minister and Ministry of Revenue in the province of Ontario, the minister and staff from the Ministry of Health Promotion, and certainly the minister and staff from the Ministry of Energy and Infrastructure, because we see that to address this problem, we need to take several steps. Just one step to reduce the taxes on tobacco won't work. We know that the people of Ontario are looking at this government to take leadership on this file, and we will be doing that with a comprehensive approach, bringing the ministers and ministries together to tackle this problem head-on.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Norm Miller:** I will take a few minutes of time just to say that I understand why the member from Haldimand-Norfolk is putting this bill forward. Unfortunately, I can't support it, but I do understand why he is doing it. He's been a great supporter of tobacco country and tobacco farmers, and he has asked many questions about illegal cigarettes. I think one of the most astounding facts is that 50% of cigarettes sold in Ontario are contraband or illegal cigarettes, and this government has been turning a blind eye to it.

The policies are not working. They are not working. We are seeing an increase. Despite the high taxes and high prices for cigarettes, we're seeing, in 2005, 2006 and 2007, an increase in the number of smokers in the province, especially amongst young people. Look at the Toronto Sun yesterday saying that they're starting to smoke at an earlier age, and they are learning it's okay to break the law. That's what this government is teaching young people in this province.

Not only that, but we're losing over \$1 billion in revenue to be used for all sorts of good purposes in this province because the government is ignoring the problem of 50% of the cigarettes sold in the province being illegal. It's the worst in the country. As the member from Haldimand-Norfolk pointed out, a high-tax policy does not affect those who don't pay the taxes. So if you have half the people buying cigarettes paying no taxes at all, it doesn't matter what policy you have.

I have heard from the Korean Businessmen's Association. They are barely hanging on. Their businesses are struggling because a big part of their revenue used to

come from legal cigarettes, and now they are all being sold out of the backs of cars.

There is a problem. I know that the member is trying to address it. I don't necessarily agree with the way he's trying to address it, but he's trying to address the problem while the government turns a blind eye to this issue.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Hon. Margaret R. Best:** Today, it is certainly my pleasure to rise in the House to address what is a very complex issue for this province. The issue of contraband or illegal cigarettes involves a number of government agencies, as you have heard from my colleague before, and a number of provincial ministries. We as a government have taken a number of different steps in addressing the issue of smoking in general.

While this particular issue is one that resides with the Ministry of Revenue, I want to address this House today with respect to what the McGuinty government has done and continues to do to protect non-smokers from exposure to second-hand smoke, to help smokers to quit, and to prevent Ontarians, particularly our youth, from starting to smoke in the first place.

The smoke-free Ontario strategy continues to be one of North America's most comprehensive tobacco-control initiatives. Smoking in enclosed workplaces and public places is now prohibited in Ontario. Our government has also made restaurants and bars smoke-free. Under the Smoke-Free Ontario Act, the McGuinty government has taken significant action on tobacco use, and we continue to address that issue. On January 21, 2009, we implemented legislation banning smoking in motor vehicles with children under 16 years of age.

Our government is committed to helping Ontarians to break the cycle of tobacco addiction and to prevent our youth from starting to smoke in the first place. We have provided counselling and free nicotine replacement therapy to over 58,000 smokers in partnership with the Centre for Addiction and Mental Health. We continue to work with our partners and we certainly agree with the statement made by our colleague regarding one of our partners, Mr. Michael Perley, who says a tax cut is not the solution to the problem that we face. We continue to provide funding to the Canadian Cancer Society to address the issue of people who are addicted to smoking.

In May 2008, the McGuinty government banned the retail display of tobacco, and to this point, 98% of retailers are in compliance. Research suggests that displaying tobacco at the point of sale can boost cigarette sales. Preventing youth from starting to smoke in the first place is an important objective of our smoke-free Ontario strategy, and we have a number of initiatives that we have invested in. We have invested \$37 million in programs to prevent children and youth from smoking. As of 2007, 72% of students in grades 7 to 12 have reported never having smoked a cigarette in their lifetime.

We understand that the contraband issue is a significant issue and we continue to work to address that issue in collaboration with our colleagues and stakeholders.



**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Dave Levac:** I've been monitoring the debate and I have to make some quick points here—very quickly because of the time allotted: So the member would tell me why moving the price from approximately \$80 to \$60 will stop those people filling their trunks and bringing them in front of schools. They're still getting them for about 25 bucks. Quite frankly, that's just not a logical explanation. And you drop the tax altogether; that would be good. Then we don't have any tax revenue for health care that we're trying to spend money on.

He also inferred very suspiciously that we condone illegal trade by the government. An absolutely silly accusation, and absolutely silly that he continually says there is nothing going on. I know that my honourable colleagues had made some comments about exactly the amount of work that's going on. It's a complex, very multi-layered jurisdictional approach and it'll happen and it is happening.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? The honourable member for Haldimand-Norfolk.

**Mr. Toby Barrett:** As far as this debate, I appreciate the contribution from the various members. There has not been a debate on illegal tobacco in the last five years, that I'm aware of. There have been a number of pointed questions, understandably, during question period.

Thanks to the members for Beaches-East York, Oak Ridges-Markham, Cambridge, Parkdale-High Park, Peterborough, Parry Sound-Muskoka, the Minister of Health Promotion and, most recently, the member from Brant.

We not only need more debate in this Legislature, we need action from this government and from society in general. I used a private member's bill and I'm limited by the constraints of a private member's bill to highlight one of a number of measures that are required to break the back of the illegal trade.

Within the confines of this legislation, it's essentially doing what Bob Rae and Jean Chrétien did in 1994. This initiative requires the co-operation of the federal government to cut taxes specifically at the federal level and, as in 1994, to swing around again and reduce taxes on the legal product in the five provinces, as I recall, that did this. I do know this: Literally 200 smoke shacks disappeared overnight in my area. I was working for the Addiction Research Foundation. I'm referring to the smoke shacks at Six Nations and presently in the riding of Brant.

We need action because there is an indication from independent research last year that 50% of the tobacco smoked in Ontario is illegal; it's contraband, it's illicit, whatever you wish to call it. We're sitting at 50% right now. The same research firm indicates that by the end of next year, given present trends—and this is what is referred to as speculative research, based on trends—we will be sitting at 80% of the tobacco—cigars, cigarettes—consumed in Ontario being in the hands of the illegal trade, the 100 organized crime groups that have

been identified by the RCMP. This is an untenable situation, it's unconscionable and it's very hard to put that back in the box.

**1600**

I will remind those present that when Bob Rae and Jean Chrétien broke the back of the illegal trade and eliminated those smoke shacks in 1994, tobacco at that time was deemed to be out of control at an illegal rate of 11%. This year, it's 50%. Next year, the projection is 80%.

I wrapped up my presentation indicating that people do want action from both the provincial and federal level. A Pollara survey reported that 64% of Ontarians believe that action is required at both levels of government. Secondly, 42% felt the taxes should be cut, as in 1994—the kind of cut proposed in this bill.

One of my goals—beyond health, obviously, and a return to the rule of law—is to create a level playing field, to take away that incentive, that motive, for people. We all agree—I was part of the research going on probably 30 years ago now—that price is an incentive. High taxes inhibit consumption. The result: diminishing returns, and people go to the black market.

These people pay no taxes at all. It's one point that some people have not made here. If they pay no taxes at all, that defeats the purpose. Their consumption is increasing. We've got the figures: 50% this year, perhaps 80% by the end of next year. Take away the tax-free advantage, the incentives, the motive, and you will take away much of the illegal trade, something that both the provincial NDP and federal Liberals knew back in 1994.

Will more people smoke if this bill passes and taxes are cut? The answer is no. Again, half the smokers in Ontario don't pay any taxes at all. It has no impact. There is no economic lever on these people at all. They have their cigarette taxes cut to zero as it is. Their consumption is going up, not down.

It's high time for this government to admit that the fight on untaxed, unregulated and unenforced tobacco operations is ineffectual and action is required. Thank you very much.

**The Acting Speaker (Mr. Jim Wilson):** The time for private members' public business has now expired. We'll go to the votes.

PLANNING AMENDMENT ACT  
(ENABLING MUNICIPALITIES  
TO REQUIRE INCLUSIONARY  
HOUSING),  
2009

LOI DE 2009 MODIFIANT LA LOI  
SUR L'AMÉNAGEMENT DU TERRITOIRE  
(INCLUSION DE LOGEMENTS  
ABORDABLES PAR LES MUNICIPALITÉS)

**The Acting Speaker (Mr. Jim Wilson):** We'll first deal with ballot item number 28.

Ms. DiNovo has moved second reading of Bill 198, An Act to amend the Planning Act with respect to



inclusionary housing. Is it the pleasure of the House that the motion carry? I declare the motion carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Ms. DiNovo?

**Ms. Cheri DiNovo:** Yes, I'd like to refer it to the Standing Committee on General Government.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that the bill be referred to the Standing Committee on General Government? So ordered.

## AUTOMOBILE INSURANCE

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with ballot item number 29.

Mr. Klees has moved private member's notice of motion number 67. Is it the pleasure of the House that the motion carry? I declare the motion carried.

*Motion agreed to.*

## TOBACCO TAX REDUCTION ACT, 2009

### LOI DE 2009 SUR LA RÉDUCTION DE LA TAXE SUR LE TABAC

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with ballot item number 30.

Mr. Barrett has moved second reading of Bill 199, An Act to amend the Tobacco Tax Act to reduce taxation. Is it the pleasure of the House that the motion carry? I hear some noes.

All those in favour of the motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the motion lost.

*Second reading negatived.*

## ORDERS OF THE DAY

### PUBLIC SECTOR EXPENSES REVIEW ACT, 2009 LOI DE 2009 SUR L'EXAMEN DES DÉPENSES DANS LE SECTEUR PUBLIC

Resuming the debate adjourned on September 23, 2009, on the motion for second reading of Bill 201, An Act to provide for review of expenses in the public sector / Suite du débat ajourné le 23 septembre 2009 sur la motion portant deuxième lecture du projet de loi 201, Loi prévoyant l'examen des dépenses dans le secteur public.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Paul Miller:** I rise today to talk about the Public Sector Expenses Review Act in second reading. This bill gives the Integrity Commissioner the responsibility to

review expense claims at government agencies designated by cabinet. I ask, why only the ones designated by cabinet? Why not every single Ontario government agency, board and commission, not all to be reviewed in the same year, but on a rotating basis, with certain of them randomly selected each year for extra attention? The government has stated that the following agencies will be designated.

Ontario Lottery and Gaming Corp., the poster agency not only for questionable expense claims, which are likely just a drop in the bucket compared to the insider ticket agency lottery win scandals, the untendered contracts and a host of other financial offences occurring at this organization.

Next is the Ontario Power Generation. Then we have Hydro One—let us not forget the Hydro One yacht—Independent Electricity System Operator, Ontario Power Authority.

And a favourite of mine, the WSIB, which has its experience rating and its dinners at steakhouses in Ottawa. Where do we begin with this outfit? First, it will require more than a full financial or expense claims audit to get this outfit sorted out. It will need a complete overhaul. The expense claims review will undoubtedly show an air of entitlement equal to that of eHealth, but the real crime with that organization is how it handles claims of injured workers.

A remnant of the Harris era, the WSIB acts like every other insurance company: Rather than having workers' compensation mentally, it acts like injured workers are cheating the system and somehow robbing the WSIB of its own money. On the other hand, the WSIB freely waves its money wand and bestows pots of gold on employers in excessive experience-rating bonuses. Does the WSIB check to see if any of those companies had employees who were ill or injured because of their work, or who were being coerced to perform phantom duties so that they would not have to report the lost-time accident? The answer is, of course, no—not, at least, until this scandal was uncovered by the OFL and our party.

Will the Integrity Commissioner be mandated to look into the concept of justice delayed and justice denied? The long wait times for injured workers to have their cases settled are obscene; some as long as—I can't believe this—10 or 15 years before they're dealt with. But will there be any investigation of that? I doubt it. Will anything be done to ensure expedited processes? I doubt it. Will anything be done to ensure that injured workers are trained and returned to work and that they can do jobs that are actually available for them? Maybe.

Other agencies on the list include the LCBO; eHealth—I could speak for hours on the myriad problems at this outfit and I sincerely hope the auditor is able to figure out what's been going on there and financially provide the answers that Ontario's people demand.

Cancer Care Ontario: Will the integrity commissioner find any reason why this outfit should handle the northern diabetic program? I doubt that, because the mandate won't permit an investigation of that organ-



ization. Will it permit an investigation into the wait times? I don't think the mandate will work there either.

Infrastructure Ontario. Ontario Energy Board. What's the number of energy organizations in this list? Five so far, maybe, or more? How many do we really need? And why do all five energy agencies belong on this list when other agencies are excluded? Is the government's flagging these areas trying to tell us something? I'm not sure.

Alcohol and Gaming Commission of Ontario; also the Ontario Financing Authority; Ontario Realty Corp.—Again, will the Integrity Commissioner be mandated to find out why developers have undue influence with this outfit on the loss of environmental lands like the Eramosa Karst feeder lands in my area? No, they won't.

1610

Ontario public service pension board. Metrolinx—That's it, Mr. McGuinty, set up an agency to hide behind when transit decisions are made that are bound to cause discord in many communities, and you can say that it was this agency, not you, who made the decision. Will this legislation ensure that the real environmental and safety concerns of communities affected by increased diesel train traffic are heard? Of course not. But those are questions of significance for many of our communities.

The Ontario Human Rights Commission; Metropolitan Toronto Convention Centre Corp.; TVO/TFO, the Ontario Educational Communications Authority; the Ontario Racing Commission; and the Ontario Clean Water Agency.

The Ontario Racing Commission is especially unique. I can speak to this; I have friends who are in that industry. They have owned horses, and they do racing throughout Ontario. That agency has become very dictatorial at the tracks. The people who run the tracks are pushing the harness racers and the horse racing out and replacing them with slot machines. This is a traditional industry in Ontario that creates a lot of employment for breeders, for trainers, for farmers, for racers, for all kinds of jobs in Ontario that are disappearing because we're moving toward slot machines.

I personally enjoy a good horse race at the track. It's exciting, and if you watch yourself, you don't get into too much financial trouble—you can. But they have their 10 or 12 races, whereas you go into a casino and you could lose a lot of money in a very short period of time—and continue to go back every night. They don't race every night at the same racetrack. So I think that might be beneficial to some of the people who live in the area who might be coerced into continually going to these gambling facilities. If it's less and they don't do it as much, it may benefit them in the long run and maybe they won't get addicted to it.

The list goes on, and that's a fairly long list, although there are still some big agencies that are missing. The government hasn't made it clear why they've selected the agencies they have and not some of the others. My thinking is that some of the ones they may not have picked may have some problems. They may have some

skeletons in the closet that they don't want to get out. I firmly believe that is the truth, and I believe that there are going to be more things coming out as time goes on.

If transparency is vital, why not apply it to all agencies, boards and commissions? Why not the Ontario Securities Commission; or FSCO, the insurance and pension regulator? As Mr. Kormos pointed out earlier today, the insurance business in this province—the private insurers—certainly has a mandate and certainly controls the insurance business in our province, as far as I can see, especially car insurance. I'm hoping that eventually we do turn to public insurance for cars and automobiles. I think it'll make a big difference in this province. I don't know if it's on the horizon shortly, but I certainly hope that after some of the comments from the official opposition today and from our party—I feel that we have a mutual agenda to maybe see public insurance come back.

If there's a special reason why FSCO and the Ontario Securities Commission are not included in this list, we'll need another piece of legislation to authorize an investigation of these agencies, so why not do it now rather than have to legislate more investigative procedures? Is it because the kind of expenses tolerated on Bay Street should be tolerated for their publicly controlled regulators? I certainly hope not.

We also wonder whether the Integrity Commissioner will have enough staff to handle the workload. I doubt it. Nine people? Wow. Just in the company where I worked, Stelco, we had a whole financial department that might have involved 30 or 40 employees to deal with 17,000 employees. We're talking 14 million people and all the agencies? It's interesting. After all, the Integrity Commissioner's office has nine staff, as I pointed out. The office was created to enforce the Members' Integrity Act in 2002. It was supposed to keep an eye on MPPs and cabinet ministers. Well, I think they've got that down pretty good, but now we're talking about a bigger ballgame. We're talking about a lot more agencies and a lot more coverage that they're going to be required to do, and believe me, nine people won't cut it.

Since then the government has expanded that office's purview to include the Ontario public service, and now public servants at government agencies, boards and commissions. That would require more people also. It's a significant increase in workload and it raises serious questions. Will the government increase the budget of the commissioner to hire new staff? We don't know. Is the commissioner deliberately being distracted from what were supposed to be her core duties: monitoring the Members' Integrity Act? I hope not. Are they spelling out who is monitored and why? No, they're not.

We insist that the government provide this information, with full details spelled out during committee and heard directly from the Integrity Commissioner himself or herself. The revelations of this spring and summer have been quite disturbing, to say the least, and I'm sure that Ontarians agree. They want to know that their tax dollars are being spent wisely, especially when there are



so many other uses for their dollars, like hiring new nurses and teachers, investing in job creation, making post-secondary education more affordable and improving special needs services in schools. We need a lot more EAs. The list goes on and on. Needless to say, public money is a precious commodity these days, and this government should begin to treat it that way.

Over the spring and summer, we heard about the gross—I repeat, gross—abuse of public money by the expensing of some outrageous examples. Some of these people were making thousands of dollars a day and they were charging us \$1.65 for tea at Tim Hortons. They couldn't pay for that themselves? Most of the people I know don't make \$3,000 a month. This guy's making \$3,000 a day—\$1.65; \$3.99 for Choco Bites; \$30 for a car wash. Can't he wash his own car? I do. Child care expenses: Why are we paying for a guy or a woman who's making that kind of money to take care of their kids? Can't they afford to do that? And a speech that cost us \$25,000: That's unbelievable—just to go and talk for a couple of hours? I don't know. They're either geniuses or they're really crafty with money; I'm not quite sure which.

Perhaps more alarming is the fact that consultants were being paid, as I mentioned, \$3,000 a day. Do you know how many families could live in affordable housing for that money? How many children would go to school with breakfast in their tummies for that kind of money? Do you know how many grandparents raising their grandchildren would be able to provide the education, recreation and medical programs that those children desperately need for that amount of money? It's absolutely ridiculous. At the rate of \$3,000 per day, it would take 20 days to reach the average annual household income in Ontario. This person makes in 20 days what an average Ontarian might make in a year. I don't know who's worth that kind of money. There can't be any justification for obscene daily rates of a \$3,000 consultant. Bring the work in-house and hire full-time workers who could do the job just as well and would have a permanent job. We've all been searching for more jobs. Maybe they should hire somebody full-time. It'd be a lot cheaper.

Just to make it really clear for those listening, here are some more questionable expenses that I have seen. A vice-president of OLG spent \$3,713.77 on one meal. That's about four months' rent for an average family. He spent it on one meal. What's wrong with this picture? Another OLG executive was reimbursed for the \$1,000 he put forward renting a Florida condominium after work requirements forced him to cancel. Why are we paying for a guy to have a vacation in Florida in a condominium? That \$1,000 is the car repair or Christmas for grandchildren being raised by their grandparents. We're paying for this millionaire's condo.

1620

At least three executives charged \$250 for their gym fees to the crown corporation to go work out. I pay for my own. I don't know what they do. Why are we paying

for people to work out? That \$250 would pay for recreation programs for at-risk children and is more—I repeat, more—than the full monthly income for grandchildren being raised by their grandparents. I had to sit in this House and fight for a year to get this government to reimburse grandparents for \$251 per child per month and \$188 for the second one. That's a total of about \$400 a month to bring up two kids by a grandparent. I don't think they go to the gym to work out. We're paying for this guy to go to the gym and he's getting more than the grandchildren do for a month? Wow. This province really needs a shakeup.

And it goes on. Valet parking at \$30. The guy can't park his own car and walk around to the front of the building? I do. Unbelievable. Let's get a grip here. This is absolutely outrageous, that this is going on.

Luggage replacement, \$615. Since when is the government in the travel business and an insurance company for employees' lost or damaged personal property? That's a new one. Every other employee is told to claim lost or damaged personal property on their own home insurance, but this guy—or she, whoever—charged the government \$615 to replace the luggage they lost. The taxpayers of Ontario paid for that. But they were only making \$3,000 a day; I'm sure they couldn't afford that.

I don't know what planet they're living on. The air of entitlement is rampant in this province. Open expense accounts: easy living. Just roam freely. Do what you want, spend what you want and charge the government.

Here's an interesting one: an account manager—I imagine he's making a fair wage—who claimed \$7.70 for a pen refill, and \$1.12 for a cloth grocery bag at the store. That's obscene beyond words. How do you justify that?

And let's go to eHealth. A well-paid consultant charged \$5.64 for a cup of coffee and a chocolate chip cookie. Wow. That is one expensive cup of coffee. I'm sure it wasn't North American coffee. It must be a specialty coffee and a special cookie, maybe. Who would think that they could expense this in the first place, but, even more, who would have the nerve to put that in? Once again, the air of entitlement seems to run up and down through these cushy outfits—up and down, up and down.

I want to talk a bit more about eHealth: more than \$5 million worth of untendered contracts, conflicts of interest and anger over high-priced consultants who nickel and dime the taxpayers. They're nickel-and-diming the taxpayers. Meanwhile, some of the taxpayers—I can speak for my own riding, where 20% of the people live below the poverty level. I don't think they're going out for \$6 lattes. It's not happening.

What about eHealth's predecessor, the Smart Systems for Health Agency, another boondoggle that has cost the Ontario people hundreds of thousands of their hard-earned tax dollars? The inside friends of the government must just be salivating when they get a call for an ABC appointment. They know that they now have an open chequebook to live the high life at the taxpayers' expense: "Please pick me, please nominate me, because I know it's a walking gold mine."



Before there was eHealth Ontario, there was Smart Systems for Health Agency. It went to work in 2003 with the goal of making a “secure, integrated, province-wide information infrastructure” to allow electronic communication between health care providers. Well, we’ve seen the fiasco there that has developed over the last few months, and people are resigning, people are defending themselves on TV about their expenditures and how they don’t understand why everyone is upset. I don’t know how they can actually face the camera without a smirk on their face, because it’s absolutely outrageous, their explanations of why they figure they’re entitled to this stuff.

Three years into operations, Smart Systems had little to show for its work, and criticism began to mount on a daily basis. A scathing 100-page operational review by the consulting firm Deloitte and Touche LLP in late 2006 detailed the agency’s troubles, this is what they said about the agency: “Little or no meaningful progress.” Millions of dollars of taxpayers’ money spent on this system to set it up for Ontario for health, and the system hasn’t come to fruition yet on creating an emergency health records system. It’s still up in the air.

What were those fat cats doing for those three years on the public payroll? Maybe they were at the golf course, I don’t know, maybe at the yacht club. Not well regarded in the health care community and lacking strategic direction, how did they get these jobs? Were their resumés even read by the appointments secretariat? They might have read them or skimmed over them, but I think who they were and who they supported is why they got the jobs.

Privacy policies are “incomplete and not widely understood” by most people. This is an organization tasked with ensuring that the privacy of each and every person in Ontario is protected in a new electronic era. How could they not understand even the basics of this?

There are many systems throughout the world—Scandinavia, Europe—that surpass us by 10 years. Who was sleeping at the switch? Who are these experts that they hired to revamp our system? Were they highly educated? Were they information specialists? I don’t think so, or they wouldn’t be 10 years behind.

In early 2007, Ontario’s Information and Privacy Commissioner also dug into the Smart Systems, criticizing it yet again for privacy and security issues. Interesting.

And then, in late 2008, Dalton McGuinty’s Liberal government decided to scrap Smart Systems and start over with a new agency. The first group didn’t do anything for three years, so we’ll put more high-paid consultants and executives in a position so they can start all over again with the new agency. What did this disaster cost the Ontario taxpayer? Would this legislation even come close to providing the answer to those costs? I doubt it. What kind of nudge, nudge, wink, wink, handshake payouts did those government appointees walk away with? It would be interesting to know. Their severances are absolutely off the map in some of these situations.

Days after the creation of eHealth on September 29, 2008, McGuinty placed one of his key health care problem solvers, Dr. Alan Hudson, in one of the lead eHealth roles. When Dr. Hudson resigned less than a year later, he was publicly quoted as saying he wished the agency had moved at a slower pace in its attempt to finish an “enormous”—huge—“task,” focusing on one task at a time rather than three of the agency’s priorities.

So I guess this guy, Dr. Hudson, feels that he should have just worked on one issue and there probably were many, so he probably could have stretched this out for another 10 years. A diabetes registry, an eHealth portal, and issuing prescriptions electronically were the three categories that they wanted him to work on, and he felt that was too much, that he should have just worked on one.

But let’s not forget Sarah Kramer. Kramer came under specific scrutiny for signing off on some of the contracts while Hudson signed the others. She also was lambasted for \$51,000 spent on her office renovation. Her annual salary was \$380,000 plus \$114,000 bonus. She makes more than the Prime Minister of Canada—a bonus that was twice the agency’s allowable rate. Now, get this: That bonus was twice the agency’s allowable rate. How was that allowed to happen? Not much oversight there.

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She was shown the door on June 7 in the midst of battling the scandal. She walked away with a severance package worth 10 months’ salary, or about \$317,000.

So, basically, “You screwed up. You were taking money that you shouldn’t have, spending it on things you shouldn’t have been spending it on. There was nothing being done of any importance at the agency, and you’re such a bad girl, we’re going to fire you. But on the way out the door, here’s a cheque for \$317,000. Thank you very much. Thank you for helping out the people of Ontario.”

Not a bad paycheque. “Sweetheart deal” is what comes to mind on this one. First of all, who’s given the authority to approve her bonus? We’ve got to find out who allowed her bonus well before a year of being in the job—she was approved before being in the job—and then who was given the authority to give an amount more than double the permissible rate. Was no one concerned about these blatant abuses of the basic rules? I think somebody should have been looking at it. I don’t think somebody was. She got double what she was entitled to for severance. Interesting.

But as we all know, it gets much deeper, much further than that. Let’s talk about some of the consulting firms that are benefiting from the government’s largesse.

Three companies in particular came under the media’s microscope during the eHealth scandal. I’ll start with Courtyard Group. Courtyard Group, a management consulting firm, received three untendered contracts worth nearly \$2 million from eHealth Ontario during its first months of operation. These included a \$915,160 contract dated October 24, 2008, for help—help with strategy, executive assistance and transition support. These high-



priced CEOs and executives needed help with strategy, executive assistance and transition support? Boy, I'd like to break that one down. I'm not quite sure why they would need that.

A \$519,760 contract was awarded on January 6 to manage the diabetes project. Wow. That's more than the Prime Minister of Canada makes too—for managing one project.

On January 30, eHealth granted an extension of the first contract worth a further \$562,296. "You haven't done anything. We're not quite sure who you're hiring, what you're doing and what you're spending, but here's another \$500,000 for a kicker to keep things rolling."

The sole-sourced contracts came under a cloud when it was revealed that there were personal links between—I repeat, personal links between—Courtyard and two members of the eHealth board. I wonder if that was one of the ones who resigned. Maybe. The same board had approved the hefty first contract. Wow.

Apparently, Dr. Hudson is an old colleague and mentor to Michael Guerriere, a founding partner at Courtyard—buddies. Guerriere was also related through marriage to another eHealth board member, Matthew Anderson. Wow, that's pretty tight. Guerriere's ties to Hudson dated back at least to the mid 1990s, when Hudson recruited him to join the University Health Network. Hudson was widely believed to be grooming Guerriere to succeed him as head of the organization. In the end, another person got the job and Guerriere left to help form—bet you can't guess—Courtyard, a consulting firm that seemed to have been guaranteed lots of over-the-top daily consulting fees. How cozy.

While Courtyard was on contract with eHealth, Guerriere also served temporarily as the provincial agency's senior vice-president of strategy, billing more than \$3,000 a day in his capacity as a consultant. A strategy guy—\$3,000 a day. I don't think the generals in Afghanistan make anywhere near that kind of money, and they're in a lot hotter position than that. Three thousand bucks a day. Wow. The work also granted him access to overseeing Courtyard's work—oh, oh, here we go—and advising his old buddy Kramer on the agency's future consulting needs. Wow. Those guys have been in the business for 30 years, and they need someone to advise them on consulting needs? I thought they were the consultants, or running the thing. Did the term "conflict of interest" never enter their minds? Obviously not. You know, with closely knit ties like that, people ask questions, and obviously they didn't seem to be too worried about it. Any elementary schoolchild would be able to see this glaring conflict of interest.

Guerriere's ties also extend to another company that won sole-source contracts from eHealth. His wife, Miyo Yamashita, heads Anzen Consulting. Uh oh, another connection—the Anzen Consulting firm, specializing in privacy issues—remember, privacy issues from the smart health days, when the audit said, privacy policies are "incomplete and not widely understood." The new eHealth outfit again failed. It issued an untendered

contract to Anzen on October 6, 2008, worth \$268,000, to develop a transition communications plan for eHealth—a transition communications plan. I don't know what you need a transition for. I would assume that you need to get ahead and get it done. You don't want to pay somebody just to do a transition.

The firm's founding partner, Yamashita, who charges \$300 an hour, billed the agency for such tasks as—you're not going to believe this one. One of the bills she put in was for reading the New York Times articles obtained from her husband, Guerriere; reviewing a holiday voice-mail message and debriefing during a subway ride. Most of our staff do this kind of work every day, but they don't get \$300 an hour. Not on your life. That's absolutely unconscionable, what they did.

Accenture Inc., a global consulting firm, received three untendered contracts worth nearly \$1.1 million during eHealth's transition period to work on the organization's design and work stream and to develop new mail and network services. New mail: I guess that's e-mail. I thought that had again been around for a while. Network services: They were networking all right; I'm not sure the services were being done. The organization's design: You would think that if they were coming in to take over a major operation like that, they'd have some sort of idea about organization design and not have to hire another consultant to consult to consult to consult. Boy, if consultants were needed for basic organizational stuff like design, work stream and new mail and network services, what on earth were we paying them for? What does their staff do if these other people are being paid to do their work? What was the staff doing? I'd like to see some of their tasks that they were assigned.

Let's get back to Accenture. Its senior partner, Will Falk, had connections to Kramer through his wife, Kate Filion, a childhood friend of the former eHealth CEO. Falk served as a personal reference for Kramer when she applied for the eHealth job in late 2008. Did you hear that? Kramer's personal reference to get her eHealth job was a senior partner in a consulting company that received untendered contracts at eHealth. What a nice little payback.

I'll not be convinced that Kramer and the board didn't know that they were breaking the rules. I mean, come on, were they walking around with bags on their heads? They had to know what was going on here, but I guess that back-scratching comes naturally for some people.

Two of the contracts secured by Accenture were signed on October 29, 2008, during a period when Kramer hadn't assumed her eHealth post but was advising the board in an unofficial capacity on contracts. So she appears to have already been well into the practice of untendered contracts and the culture of entitlement which continued in her official capacity at eHealth. "This is a good thing we've got going here. Let's keep it going." Guess what? The third contract was granted in January—a third, to go with those two first outrageous ones.

I could go on forever, but it's clear to me that there's more than a little bit that's not right here. I think these



expenditure problems are really part of the broader problem of the government: a lack of transparency at many, many levels. That's why it's particularly disturbing to read, in Kelly McDougald's 18-page notice of claim, the extraordinary lengths that this government went to, waiting until the very last moment possible to release the FOI documents on OLG expenses.

I know that none of the allegations in the claim have been proven in court, but all of us in opposition know just how difficult it is to get real information out of this government.

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Freedom of information: I think that should be like a public system that should be available to anyone. We, government officials representing the population, have to pay big bucks to get information from freedom of information. What's our role here? Aren't we supposed to be overseeing or keeping the government in line as opposition, and we have to pay to get FOI? I don't know. This is very frustrating. Not your years of loyalty, your commitment to doing a good job, your family and friend ties with the government will shield you from taking the fall for this ineptitude. It's coming. Nobody's going to escape this one.

There's the question of accountability. When this government finally realized the FOI documents, it seems they had to find someone other than themselves to take the blame, and the person ended up being Ms. McDougald. I don't think she signed up for the job as a scapegoat, and I don't think the McGuinty Liberals realized they had such a fighter on their hands.

I look forward to knowing about the other scandals that come out at the trial. It should paint an interesting insider's picture of the workings of the McGuinty Liberals.

New Democrats acknowledge that this legislation is a basic first step. That said, there's much, much more to be done to ensure transparency in government and to reassure the public that their hard-earned tax dollars are being put to good use.

In conclusion, I'd like to say that over the years, before I was even here, I used to watch TV, read the newspapers and read the magazines about bus scandals, about golf courses under Mr. Chrétien out in Quebec. I saw more and more, but I'll tell you there's nothing like living it live. There's nothing like being here and seeing these things unravel up front. I'll tell you, there's a lot more that's going to unravel in the next couple of months. Believe me, a lot of people should be putting bags on their heads—the unknown CEOs, the unknown executives, the unknown politicians—because it's absolutely outrageous, what's been going on in our province, and it's not the first time. It's happened before, and under other governments too. But did it take this government being forced into a corner, being exposed, to actually move on it? I think so. I think that's why things are happening. But that's good because, if it can straighten it out, if it can actually bring some accountability and truth to these agencies that are governed by the government, then that's good for the people of Ontario.

But speaking of the average person, like myself for many years, from the street, you ask why people get this attitude toward government and politicians and big business. Well, these are the types of things that really disillusion the public as a whole. I hope in this term we can bring back some trust for the public. I hope we can bring back some accountability to the public, because they certainly need it in this province. I'm proud to be an Ontarian, I'm proud to be a Canadian, but when things like this happen, that just tears me apart. Hopefully we can rectify this terrible, terrible situation.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Michael A. Brown:** I think some of us might be a little surprised at the take we just heard from across the way, so I'll explain what steps this bill actually takes.

Bill 201 means that the government is protecting taxpayers' hard-earned dollars by improving the oversight and accountability of expenses. This has never been the case in any government in Ontario's history.

On September 1, 2009, the Premier announced the proposed Public Sector Expenses Review Act, which would give the Integrity Commissioner the legal authority to review senior management expense claims made within Ontario's 22 largest agencies and take appropriate action should irregularities be discovered.

Staff at the government agencies will be required to abide by the same level of accountability and oversight that cabinet ministers and political staff must follow under the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act. The act gives the Integrity Commissioner the discretion to make recommendations for other steps, as appropriate. For example, this could include the suggestion that the CEO or others require pre-approval of expenses. The proposed legislation would require the Integrity Commissioner to prepare and make public an annual account on the review of expense claims. Under the proposed legislation, the government has the power to require any government agency, board or commission to abide by these rules, by regulation.

This legislation is about making oversight and accountability of the agencies' accounts more transparent and stronger. I repeat, this is the strongest legislation in Ontario's history to do this.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Norm Miller:** It's my pleasure to add some comments to the leadoff speech from the third party by the member from Hamilton East—Stoney Creek on Bill 201, the Public Sector Expenses Review Act. He certainly made some good points in his opening speech. He talked about the fact that there's a lot more going to unravel, and I think that's true.

Certainly our party, the PC Party, is working hard to try to bring more accountability to the government. I think they were forced into a corner and they're reacting to the freedom of information requests that provoked them into finally doing something.



The member talked about the fact that this bill is going to require the Integrity Commissioner, who has a staff of nine, to take on the responsibilities. He questioned whether that staff would be able to handle the thousands and thousands of employees in the 22 largest agencies that they'll be required to review. I think that that's certainly a valid point.

He brought up the details of the scandals at eHealth, in particular: the \$2,700 a day in consultants; the \$25,000 speech for the CEO, which I think anyone would agree is completely outrageous; the bonus paid to the newly hired CEO just after three months on the job, over \$100,000; the big severance paid when that CEO was fired; the cozy relationships between the Courtyard Group and other various consultants, a very intertwined group; and all the various things that were paid for, like, as he mentioned, a transitional communication plan, hundreds of thousands of dollars for a contract for being paid to read the New York Times. I'm sure there's going to be a lot more coming out with the hard work of the opposition.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Ms. Cheri DiNovo:** I listened, of course, with interest to my colleague from Hamilton East–Stoney Creek. He made a number of extremely valid points.

I think, overall, what really struck is the point that he made about the increasing cynicism of the voting public, and the fact that exactly this kind of scandal with OLG and eHealth increases that cynicism. It is part of reason why people don't go to polls, because they say, "Why are we electing these people? All they do is hire their friends for top jobs. It's all graft and corruption. We don't want anything to do with it." That's a really disturbing aspect of this, because what are you going to say to the voting public? "Well, yeah, you are right. In part, you're right. Yes, the government does have ties. Government friends do get the best jobs. Then they bill you even more, and guess whose money pays for all of this? Yours." That's point number one.

Point number two: He made the point that the Integrity Commissioner was not set up to do this job. Her role was set up just to look after the affairs of MPPs and cabinet ministers. With a staff of nine, let's face it, there's just absolutely no way that her organization will be able to look after the affairs of a raft of new bureaucrats. That raises the other question: Is she going to hire a whole lot of new staff? Are we going to be looking at yet another scandal within the Integrity Commissioner's office in the next year? Where is that staff? Are those contracts going to be tendered?

And finally, the distance from ministry: Ministers are supposed to ultimately be the go-to people, those responsible for their ministries. So why aren't they? Why are ministers not the ones that we go to to ask about responsibility for their ministries? Why yet another arm's-length organization that's going to look into those affairs instead of the ministers? Ministers, ultimately—the buck stops there, or should.

So I just wanted to add that two cents', two minutes' worth, and bravo to the member from Hamilton East–Stoney Creek.

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**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Lou Rinaldi:** I just want to add my comments on Bill 201 to the comments made by the member from Hamilton East–Stoney Creek.

The member asks a lot of questions, and rightfully so. I would ask the same questions; there's no denying that. I think because of those questions that he asked, some folks that get appointed through any government—we would hope that they would be responsible folks and do the right thing. In many cases that's not the case, and I think it's important that the government reacted as quickly as it possibly could to introduce this bill. The member from Algoma–Manitoulin went through the steps of what this legislation is going to accomplish so that those things don't happen again.

I say to the member or to the public in general, the province and taxpayers could save millions of dollars if every citizen were a 100% law-abiding citizen. Who would need police on the 401 to patrol that? We wouldn't need police to patrol our streets if we didn't have crime, if everybody was law-abiding. So, as we discover those things, I think it's the responsibility of government to put mechanisms in place not to have it happen again, to fix it.

So the question is, the Integrity Commissioner has nine staff, so they say. I want to commend the Integrity Commissioner for the great work that they do, and I have all the confidence in the world that they will be able to tackle this project, once the legislation is passed, with proper regulations and whatever government of the day providing appropriate funding like we do for policing or other law-abiding regulations that we put in place to deal with a situation. This has arisen. I think the government acted as quickly as it could. We're going to try to get to the bottom of it and this is, I think, a great mechanism to do it.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member from Hamilton East–Stoney Creek has up to two minutes for his response.

**Mr. Paul Miller:** I'd like to thank the members from Northumberland–Quinte West, Algoma–Manitoulin, and Parry Sound–Muskoka, and the member from Parkdale–High Park, my colleague, for her kind words.

To the member from Algoma: I appreciate the fact that he explained the bill and the functions of the Integrity Commissioner to me. I kind of had a handle on it already. But the problem is not the fact of what his role is and what he'll be doing; it's the timing. Why wasn't this done years ago? And he's right: All governments have had problems and all governments will continue to have problems. I don't deny that.

As far as them moving swiftly, I think they sat back for a couple of weeks and looked at which way they were going to go at this before they actually moved on it. They didn't move quickly, in my humble opinion.



I really do believe that the population and the general public are disgusted—they won't deny it—with politicians federally, provincially, municipally. They're disillusioned. That's why we get poor turnouts for voting. The thing I get at the door when I go around is, "Things are never going to change. They're all in it for themselves." We've all heard those types of responses from our constituents. I'm hoping that this is the start of something, that we can change that attitude. Hopefully, we can get enough good people together in this House to change the rules, make people accountable for what they do wrong, and make them pay the price. I think then maybe, just maybe, the people of Ontario and Canada will respect this honourable profession.

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further debate?

**Mr. Frank Klees:** I fully expected that a member of the government might take the opportunity to speak in this rotation, but it falls to me and I'm pleased to do so.

I want to, at the outset, say that I will be supporting the legislation. I think it's difficult not to, on the one hand. But I have some concerns about why this legislation is even here in the first place.

What I want to speak to is the doctrine of cabinet responsibility. I think that is an issue that we really should be focusing on.

I believe that if members of this government, particularly cabinet ministers, and specifically one cabinet minister, the Minister of Health, who has now overseen scandals in three ministries—if that individual, first of all, had been doing his job as a cabinet minister, those scandals could have been avoided and would have been avoided. Had that cabinet minister assumed the responsibility that is his, and had the Premier insisted that that cabinet minister demonstrate his responsibility, then, again, there would be no need for this legislation that's before us today, because the people of Ontario would have seen government exercising its responsibilities. But the very fact that instead of a cabinet minister coming forward, acknowledging that there is a business that has gone off the rails, a business over which that cabinet minister has a responsibility, the fact that that minister did not take that responsibility, I believe shows that we have lost sight of how the people of this province—in fact, any citizen within a cabinet parliamentary system of government—would expect their government to behave.

What I am concerned about now is that we have before us a piece of legislation that defers the responsibility for holding civil servants to account for how they conduct their business to, yet again, a third party. Cabinet ministers already have the infrastructure available to them to do precisely what this legislation will now call on the Integrity Commissioner to do, although the Integrity Commissioner has no infrastructure. There are nine employees there.

We visit with the Integrity Commissioner once a year to review our submissions and our disclosure documents. We know that with the added responsibilities that have been placed on the Integrity Commissioner over the

years, they already are under a great deal of pressure to simply do what they've been assigned to do.

Now, with the added responsibilities that this legislation overlays on that office, the question I have for the government is, how much will that cost the taxpayer, an unnecessary cost and an unnecessary building up yet of another bureaucracy?

Cabinet ministers have that infrastructure, as I said before. Why would we not call on cabinet ministers to simply do what they are expected to do, and that is to oversee the function of their ministries. Expenses that are submitted by civil servants within any organization can, in fact, be treated with the same kind of transparency and accountability that any organization would impose on their employees or their staff. The same is true for all of the agencies, boards and commissions for which these various ministries would have responsibility.

I see nothing in this legislation that sets out a framework under which that accountability would be delivered. I think that's a glaring error in terms of how the government is approaching this.

1700

I also have to question, as my colleague did who spoke before me, why the government would identify only a select number of agencies that would then be subjected to this scrutiny. I would think that the message the government wants to send to the electorate is that every civil servant and every public servant will be subjected to the same scrutiny, held to the same standard. Why a select few?

One of the organizations that I question why it's not included in this list is ServiceOntario. I would be very interested to know—in fact, I am making a request, if we can afford it, to put in some freedom of information requests for the consulting agreements that have been awarded by ServiceOntario, because I think we're just scratching the surface with some of these other agencies.

We're debating a piece of legislation now that is going to create more bureaucracy and that will allow the government to hide yet one more time from the very principle of cabinet responsibility and accountability. We have examples in this place. Speaker, to your credit, people in this province may well have forgotten that when you were Minister of Health and an issue arose within your ministry, you did the honourable thing. As minister, you made the choice to step aside until that issue was resolved. This government has not even so much as suggested that a minister should take on that responsibility, and it wasn't until the official opposition and the third party raised concerns about the former Minister of Culture and his mishandling of multi-millions of dollars of grants to organizations across this province that didn't even apply for grants—no accountability; this Premier defended that minister until he could defend him no more. Then, of course, he became a scapegoat. But even then it was too late, because the damage had already been done; the credibility of this government had already been lost. How can you defend, day in and day out in this place, the indefensible actions of a minister disbursing public funds without accountability?



So we move forward: scandal after scandal that not one member of this government could defend, and I haven't heard them defend. To their credit, if credit is at all to be given, they acknowledge that the business of the Ministry of Health and the business of the Ontario Lottery and Gaming Corp.—that there were, in fact, serious breaches of the public trust. So they acknowledge that. But the problem is that instead of taking positive action and instead of demonstrating that there is, in fact, an accountability issue and a responsibility issue, they simply consider that the public will be satisfied with the Premier standing in his place and saying, “We'll move on. We'll just simply cover this up, and we'll do better next time.” You know, there is such a thing as saying, “We will also deal with the people who have made the errors in judgment and who have failed to meet their responsibilities.”

This legislation before us would actually have some efficacy if, in fact, it was followed up by the resignation of a minister who clearly is not up to the job, who clearly does not understand what his responsibilities as minister are and that it's not a function of trying to outlive a scandal; it's a function of maintaining the integrity of his office and the high calling to public office. That's what should be at the foundation of this legislation, but it's not there. Instead, it's simply a punting of responsibility to a piece of legislation so that we can have the debate and so that there can be the perception that this government is responding.

I don't know about you, but I have probably had more correspondence and e-mails on this issue of the government's lack of accountability and unwillingness to accept responsibility than on any other issue, and it goes to the heart of what people expect from their elected officials.

I want to just read into the record an example of the kind of e-mails that I've been getting.

“As a member of your riding, I want to express to you how much the recent activities of the Liberal Ontario government (specifically the eHealth fiasco) have shaken my faith in the Ontario Liberal Party.

“I do not consider myself to be affiliated with one party over another. My vote is swayed by the parties' stances on issues that I deem important.”

She goes on to say, “In the next election, I simply will not be able to vote for a party that does not remove Caplan from cabinet. I will not be satisfied with a simple shuffle from health to some obscure portfolio.

“The overpaid consultants and the exorbitant bonuses without track records to support them is mere window dressing, and the firing of those people is an obvious scapegoat ploy. If you offered me a huge hourly salary for reading newspaper articles and offered me a six-figure bonus based on a very short amount of work, I would take it, too. The real issue is that, as the minister of that portfolio, David Caplan should have known what was going on and should have been aware of the murky ethics in which his ministry was operating. He, and no one less than he, should be held accountable and should be fired.

“As I said, if Caplan is not fired, I simply will not be able to vote Liberal in the foreseeable future. Wise, ethical stewardship of public funds, especially in times such as these, is a make-or-break deal for securing my vote.”

What this constituent is talking about is in fact the doctrine of cabinet responsibility and accountability. This is not an academic; it's simply someone who is living in a cabinet parliamentary system of government and by nature expects that there would be an acknowledgment of accountability, and that there would be consequences for people who are not providing the kind of oversight that is simply an expectation on the part of taxpayers.

What I would have preferred to see, instead of this legislation that we have before us, is legislation that would, in fact, require accountability and transparency on the part of every ministry, every department and every agency of this government when it lets out contracts. Every contract that is let by the government or an agency of the government, in my opinion, should be posted on the website of the government for everyone to see. After all, it's taxpayers' dollars. Every person in my constituency should be able to go onto the website of the Ministry of Health, the Ministry of Education or any other ministry or any other agency of any ministry and find out who's working for what, what's being charged, what are the hourly rates, what are the contracts that were let, and be able to understand clearly where their tax dollars are going. That would be a practical approach and would be demonstrating to the people of Ontario that this government really does care about being transparent and accountable and answerable to the electorate and the taxpayers of this province. But that's not what we have. What we have is yet another make-work project on the part of the McGuinty government. It will be interesting to see how many employees, how many more government employees, we end up with when this has been fully implemented. And then we'll find out just how effective this make-work project really is.

1710

I will support it because I believe that at the very least these employees and the Integrity Commissioner understand accountability and responsibility. I don't have that confidence in the front benches, in the cabinet ministers or the Premier of this province, because they have failed at every test of accountability and responsibility. So at least we have some hope that there will be some sense of accountability as the government carries out its business.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Michael Prue:** I listened intently to the member from Newmarket–Aurora. He is often very eloquent in this place, and he had some very good, commonsense things to say. He talked about the doctrine of responsibility of cabinet and the doctrine of responsibility of those who are appointed to cabinet, and that's something that we often don't debate in this House, or perhaps don't pay enough attention to. There was a time when a cabinet minister would offer his or her resignation when some-



one within their department did something wrong. There was a time when a cabinet minister would resign when they had made an inopportune statement in the House. There was a time when a cabinet minister who obviously wasn't very competent in what he or she was doing would offer their resignation to allow the Premier to appoint someone who might be better at the job. Those days appear to be gone, and I think it would behoove this government to start thinking about that doctrine of responsibility, because it is not just a responsibility to the colleagues and the members of your party and the people who are on the government side of this House. It is a responsibility of the people of Ontario to provide the very best that can be provided. I'm not sure that in the circumstances over these last several months this doctrine of accountability has been taken very much into account.

He also had to talk about some of the pitfalls of the road down which we are heading and the fact that the transparency will not be there, save and except through a new and increased bureaucracy through the Integrity Commissioner. He ended by talking about the faith that he has in the Integrity Commissioner, or at least that position, and how he hopes to get some results for the people of Ontario. I commend him. It was a very balanced speech and much of what he said should be hearkened to by the government itself.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Bob Delaney:** My colleague from Newmarket–Aurora has just spoken, and again very well, about the problems that, to his credit, he and his party and the third party have found in the agencies, boards and commissions of the government of Ontario. Frankly, we agree with him. This is not the way that the government of which I am privileged to play a part does business. It should be noted, however, just to be complete and accurate, that when they had the privilege of forming government, they in fact closed agencies, such as those that they are now accessing information through, to that very freedom of information process. Earlier in this decade, our government opened it up. This is what we're supposed to do; this is actually people doing their job. And when our government finds these things, we shut them down, and that's what this particular act is intended to do. It's intended to take practices that we all in this House find awful and shut them down.

What this does is extend the same type of standards that we as members face in that we, too, have our expenses reviewed by the Integrity Commissioner and extend that same degree of oversight to people at 22 specific agencies, boards and commissions. This is also fair.

The proposed legislation, in fact, would require the Integrity Commissioner to prepare and to make public an annual report of the review of all of these expense claims. This is the same degree of transparency that effectively cleaned up a lot of the work in government in the last several years, and there's no point in pointing fingers at it now. This is something that the opposition has done a

service to the people of Ontario on, a message heard loud and clear by the province of Ontario and a practice that is going to get cleaned up once and for all.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Ernie Hardeman:** I too want to commend my colleague from Newmarket–Aurora for a very good presentation on the ins and outs of the need for this legislation.

I think everyone in this House, and it appears now even the government side, realizes the need for something to be done to deal with the way government agencies and commissions and, in fact, the cabinet itself have been going. Somebody needs to have a look at that.

I think this was in the member's presentation, but I thought that's what ministers were supposed to be doing. Obviously every agency is responsible to a ministry. The reason for that is so we have oversight to make sure that the services are being delivered in a proper way. But it's become quite obvious in this process that the ministers, and particularly the Minister of Health—as this process started with the revelations at eHealth Ontario—doesn't seem to be able to or want to look at the proper way of dealing with the expenses of their charges, shall we say, of the people they're responsible for, so they appoint the Integrity Commissioner to look at that.

My concern is that the main items that we have been discussing for a number of weeks here are not things that the Integrity Commissioner will, in fact, be dealing with. The Integrity Commissioner looks at whether the expense is an appropriate expense. It was mentioned in a presentation earlier somebody making \$3,000 a day and then charging for going to Tim Hortons for a coffee. That going to the Integrity Commissioner would be a legitimate expense, but it isn't a legitimate expense for the people of Ontario when people have to look at that and say, "We pay someone that kind of money?"

Incidentally, the Integrity Commissioner would also find no fault with \$3,000 a day. I do believe that a minister should find fault with that. That's why I think it's inappropriate to do it this way, but I agree with the member from Newmarket–Aurora that I would be supporting this—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further questions and comments?

**Ms. Cheri DiNovo:** I listened with interest to the member from Oxford just now, and he's absolutely right. What is acceptable to a Bill Gates and a corporation is not acceptable in terms of a government employee spending tax dollars, and that's the concern with this bill and what we're trying to get at with this bill.

Certainly we in the New Democratic Party are going to support it. It's a baby step. As always, we'd like more from this government. The more we would like is more ministerial responsibility because, after all, that's what the electorate wants. They think that when they elect somebody and they're appointed to cabinet, that cabinet role carries with it the responsibility for their ministry. Responsibility implies that when something goes wrong



in that ministry, you account for it, you answer for it. You don't set up a third party to look into it and then sort of shove the responsibility on to them or create a new bureaucracy, which this bill has every sign of doing.

Really, this also doesn't address the fact that there was some direct culpability here. We were talking about Freedom of Information Act requests, for example, that were delayed by the government, it seems, and allegations. Who's going to investigate that? Will the Integrity Commissioner do it? Will they be up and running, or will the government take that responsibility upon itself—because, after all, it did that—and respond to the electorate and tell them what's going on? We haven't had a response from the government regarding the Freedom of Information Act requests and the ability to get at information.

1720

With all respect to my friend from Mississauga—Streetsville, there is some responsibility here to be had by the government; it can't just be given over to an auditor and the government needs to answer for it and perhaps apologize for it, as the case may be. So although we support this, we don't think it's nearly enough and, of course, are looking for way more.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for Newmarket-Aurora, you have up to two minutes for your response.

**Mr. Frank Klees:** I appreciate the comments from my colleagues. I want to just wrap up my comments by making reference to the Access to Information Review Task Force paper that was published in August 2001. It speaks specifically to the doctrine of individual ministerial responsibility. It states that there are two components to ministerial responsibility: a resignation component and an answerability one. This government has failed; all of their cabinet ministers have failed on both counts. If they're not prepared to resign, then at the very least they should be prepared to uphold the answerability component of ministerial responsibility. In case they haven't heard about this, let me just read into the record what that means: "The answerability component of the doctrine requires that each minister answer to Parliament, in the form of explanation or defence, for all the actions of his or her department."

What we can't find anywhere in this government is any cabinet minister who will comply with either of those components of ministerial responsibility. On behalf of our constituents, on behalf of the citizens of this province, we continue to ask questions day in and day out, and we get no answers. All we get is deflection, and that is what this bill is to a large degree: simply a deflection of responsibility, not an acceptance of responsibility. We're hopeful; we'll remain hopeful that perhaps over time this government will come at least to understand the very fundamentals of the responsibility that members and cabinet ministers have to the electorate in this province.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Michael Prue:** I stand today to enter this debate, and I stand as a politician who has been around for a little while, perhaps a little grey, perhaps a little long in the tooth, but one who remembers that even 20 years ago when one knocked on the doors of one's constituents, there was a respect, sometimes a grudging respect, for the political life that we have chosen to lead. There was a respect because people thought that we were there for the purpose of the community; they thought we were there to oversee and to challenge the bureaucracy. There was respect because they understood that it was a difficult job where you could not please all of the people all of the time.

When I knock on doors these days, I do not see the same respect. I would ask members here if I am seeing something differently than what you're seeing, especially members like Minister Phillips, who has been around even longer than I. The whole public attitude to what we do, what we say, what we're about and about this august Legislature has changed. It has changed for the worse. It has changed because people think that politicians such as us, the things that we do, which used to be such a noble calling—it is no longer quite that noble calling. They say things like, "You're all the same" or "What difference does my vote make?" They say things like, "It won't matter what happens there. It won't affect my life." They say things like, "You can't catch these people in the bureaucracy who are cheating the system. You're not a very good watchdog." They say all of that and more. We all know that that's true, and we all know that if this institution is to survive, it needs to survive by having a much better handle, both in terms of the responsibility of the actions of this House and by carefully monitoring the public good to a point that we can clearly pull out the bad apples, that we can clearly change direction when we need to change that direction.

So I look forward to this bill coming out and I look forward to what it might contain. Although I am generally pleased that there are going to be a number of agencies added to the list, such as the lottery and gaming commission, Ontario Power Generation and others, the list is not exhaustive. I fail to understand why it is not exhaustive. I fail to understand in several key respects why agencies that very much should be monitored, hugely should be monitored, have been left out.

The key one to me is the Ontario Securities Commission. Perhaps one of the government members opposite can explain to me why the Ontario Securities Commission has been left off this list. I know that most of you have had an opportunity, even those who have been here but two years, to serve on some of the committees of this House. The committees that have dealt with the Ontario Securities Commission in the last two years, and some beyond that—the finance committee has had numerous hearings on the powers and authorities of the Ontario Securities Commission, the government agencies committee has appointed people to the Ontario Securities Commission, and the public accounts committee met quite recently and talked about all the things



that have to happen inside the Ontario Securities Commission to make it a viable entity, one that the public, the investing public particularly, can look to with confidence. And none of that has seen the light of day; not much of that has seen the light of day.

I remember the first time I sat on the finance committee, around six years ago, when the new government came in. We were mandated to look at the Ontario Securities Commission and to talk about changes that needed to be made. And the recommendations, I still believe to this day, are good recommendations. They weren't my recommendations. They were recommendations unanimously adopted by the all-party committee. The Liberals on that committee supported it. The Conservatives supported it. I as the lone New Democrat supported it.

We talked about really important things. We talked about splitting the adjudicative and enforcement functions. It's never been done, because the securities commission doesn't want to go down that route, in spite of the fact that our Integrity Commissioner at that time, Coulter Osborne, gave a very impassioned and reasoned argument why it had to happen for the benefit of the people of Ontario. We have asked that we put a watchdog on the board, that small investors have an opportunity to serve on the Ontario Securities Commission to make sure that everything is being done right by small investors, and it's not just the big players and it's not just the banks that are being protected. We have asked that the Ontario Securities Commission be given the kind of teeth that allow it to do investigations and take people to court.

Why is it that in this country, at the Ontario Securities Commission, which has up to 200 charges a year put on people for insider trading, people who are jiggling the system, people who are cheating those who are putting their life savings at risk—why is it that there are next to no convictions? When people get caught in Ontario cheating the system at the stock exchange, very often what happens is that they are fined. Sometimes their licence to practise is taken away for a little while, or sometimes indefinitely. But very seldom is anyone sent to jail—very seldom. Now, if you look at what happens south of the border, you will see a whole different system. If you wonder why Conrad Black is in a jail in Florida and not in a jail in Toronto, look at the difference between their system and ours. In our system, he would still be walking around doing whatever he wanted to do. In their system, they understood that prosecution was absolutely essential.

We have asked in this House to vet the salaries, we have asked about insider trading, we have asked about the hundreds of charges that come up each and every year, and nothing seems to happen. Yet when an opportunity comes for the government to look at this agency above all agencies—to vet it, to look at it, to see what they're doing, to see how they're doing it, to see whether people are cheating the system, to see whether they are taking the proper and appropriate enforcement action, to see why they're not appointing people to the boards who ought to be appointed to the boards, especially small con-

sumers and investors—we laid them off. I don't understand that. I hope somebody on that side of the House can explain to me why the Ontario Securities Commission is not named and somebody like the Toronto Convention Centre Corp. or the Ontario Educational Communications Authority, TVO or TFO, or the Ontario Clean Water Agency is included, because although I'm thankful they're included—I'm not going to say they shouldn't be. But I am saying that when you see an agency which has not been performing up to world standards, in my view, and you see agencies that are and we're not including the bad ones, I have to question this government as to their motivation.

1730

I also have to wonder about FSCO. I've asked a couple of questions in this House since we've come back from summer recess and made some statements about the fiscal review of insurance policy, and the minister said, "We're studying it." He told me the same thing last May, he told me the same thing last June, he told me the same thing in estimates over the summer and he said the same thing in this House in September: "We're studying it." And each time the timeline goes back and back and back.

The people of Ontario expect an answer. The people of Ontario who buy insurance, the people of Ontario who have to claim against that insurance, expect an answer. They expect an answer from that agency and they expect to know how that agency operates. That agency is responsible for billions upon billions of dollars of taxpayers' and insurers' money going in, and they need to see some transparency that the money is being wisely spent. They need to know why an agency like FSCO is making a recommendation for non-catastrophic injury being reduced by 75%, from \$100,000 down to \$25,000. They need to know what the minister is studying, why he's studying the recommendation, and the rationale behind that reasoning. They're not hearing it. They need to know about pensions, which is also part of their recommendations, and about all the studies that have taken place and the people who are making the recommendations and what consultants they're using and where they're getting their information from. It needs to happen, and it's not happening.

All of that included, we come down to the poor Integrity Commissioner. My goodness, what a small office. All of you in this room know who the Integrity Commissioner is. You've all been to the office. You all know that when Coulter Osborne left, Lynn Morrison, God bless her, took over the job, and you know that she's still doing that job, and she has nine staff. There are nine of them. And every year in September we are required to fill out forms, as members of this Legislature, documenting all of our assets. I've done it and I'm sure all of you have sent yours in too. We've sent in those forms, and they're pages and pages long. If you can do it on a computer—if you're smarter than me on a computer, you can probably do it. I have some difficulty. I write it out; I have somebody else help me with the computer to put it in. But it's put in.



That was the chief responsibility of the integrity officer of the province of Ontario: to vet the ownership and the assets of the people in this room, to know that when we are taking action, we don't have conflicts of interest. And they did so, and they did so remarkably, and they have continued to do so remarkably. I have no complaints against the Integrity Commissioner whatsoever. I do have a complaint a little bit—and I know I'm part of the process—of how long it has taken us to find a new Integrity Commissioner, because Coulter Osborne, I think, retired a couple of years ago. We have not yet found a new Integrity Commissioner, although the negotiations are ongoing and I am part of those, because we are very specific as a Legislature about who we want to take over this role. The limited number of people who could and should be doing this job is very small. So we have had a hard, hard time finding a new Integrity Commissioner. But now, without a new Integrity Commissioner, we're going to have an act here. We're going to have an act that is going to, I suppose, quadruple, quintuple, 20 times the number of employees that are going to be needed to work in that office.

In the last couple of years, we have increased the duties of the Integrity Commissioner. Before, it was 107 people, MPPs duly elected by the people of Ontario, who were the responsibility of the Integrity Commissioner. Last year or the year before that, we included the entire Ontario public service. We then added tens of thousands of employees across this province on to the duties. And now we are saying we are going to add a whole plethora, a whole group, of public agencies. But nowhere in this legislation that I saw, nowhere at all, is there any explanation, ministerial statement, comment, commitment to increasing the staff, as clearly it is going to have to be increased.

I'm not sure the Integrity Commission is the right place to go here. It would seem to me that the Ombudsman's office would be equally good or perhaps slightly more attuned to looking at government agencies and waste and mispractices, because, in fact, that's what the Ombudsman's office has been doing in the province of Ontario for more than 20 years. We have been reluctant to expand the Ombudsman's jurisdiction, although he has asked for that expansion of jurisdiction, but here we are doing it to an agency which was originally set up not for this purpose at all but for the purpose of vetting 107 people.

We have not said how we are going to change the agency. We have not said how it is going to bureaucratize, because clearly, if there are hundreds of people who will be required to do this kind of job, it will need a whole organizational structure which will not be eight people reporting to an Integrity Commissioner, as was originally envisaged; it will be something completely different. There's nothing in the bill that indicates the amount of money that this is going to cost the taxpayer. There's nothing in the bill that indicates, even in broad, ballpark terms, how many staff are going to be required. There's nothing in this bill that indicates what the budget

is going to be or how it's going to be spent. But most disturbing to me is, I have not received an indication from the minister or anybody from the government side—because they are choosing not to speak—how much weight in terms of time and effort and expertise the Integrity Commissioner, once appointed, is going to put into this. Are they going to continue to do the bulk of their recommendations, the bulk of their investigations, on the 107 members of this House? Are they going to branch out and spend most of their time with the Ontario public service? Or are they going to end up spending almost all of their time on these agencies, some of which, according to the last few months, have been rogue and some of whose members have spent monies in questionable ways? I'm not sure, because I'm not sure what is happening here, and no one is providing that explanation.

I listened earnestly to what the member from Newmarket–Aurora had to say, and he did talk about the doctrine of responsibility. There is no responsibility for these actions being taken by the cabinet. Although I have only been here eight years, I remember coming here as a student at the University of Toronto. It wasn't very far away, and it was often quite entertaining to walk across the street through the underground there, out of Hart House and the immediate area around Hart House and University College, to walk over here and sit up there—I usually sat up there—and to watch what was going on in the House. Sometimes there were spirited discussions. But I do remember in those days that there was a real sense of ministerial responsibility. I do remember ministers resigning. I do remember that when things went wrong, even though ministers were not personally to blame, they took responsibility on behalf of their departments, and it was a doctrine that was adhered to. Sometimes ministers had to leave. There was a certain period of time when they were felt to have been rehabilitated and were reappointed again. But they took responsibility. And I have to tell you, with the greatest of respect, that I do not see that responsibility in this House today. When things go wrong, the minister simply stands up and says, “When you were in government, things weren't any better,” and sits down. That is not why I'm here, that is not why the people elected me to come here, and that's why, going back to where I started, they're starting to become cynical.

If this place is to restore itself, if this place is to be the magical place where great ideas are debated and people are listened to, then we have to all collectively start taking responsibility. I, as a critic; ministers, as ministers; people who work here in their various jobs; people who are bureaucrats with a sense of purpose in their jobs; and those we appoint to these ministries have to take responsibility too. I'm not sure that's going to start with the Integrity Commissioner. I think it's much broader than that.

1740

But I am going to support this bill. I'm going to support it because it may be a small part.

The member from Newmarket–Aurora was absolutely spot-on when he talked about responsibility. Until the



time comes when all members of this House take responsibility for their actions, for the people who work for them and with them, then the public cynicism will continue.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Khalil Ramal:** I was listening carefully for the last 18 minutes to the member from Beaches–East York as he outlined his position on the bill before us.

He knows very well that cabinet or ministers or the government cannot micromanage all the civil servants in the province of Ontario, especially those not directly controlled by the ministry or by the government. That's why we have some kind of accountability act. It's accountability management, rules and regulations, in the province of Ontario, and everyone is subject to audit: all the people, all the agencies, all the management. When they are audited, I guess they pay the price and take responsibility.

That's why we're introducing this bill: so everyone in the province of Ontario, all the agencies, all the people who work for and are supported financially by Ontario, will be subject to the Integrity Commissioner in order to make that accountability obvious to all the people of Ontario. As you know, those taxpayers' dollars should be protected, should be invested in the right place, shouldn't be mismanaged. That's why everyone should be subject to the Integrity Commissioner. If the Integrity Commissioner is good for us as elected officials, as politicians, I think it should also be good for all the civil servants who benefit from this province, who have the responsibility to manage the taxpayers' dollars.

So I respect his opinion, and I respect his direction.

I know it's going to be a big, huge expansion of the Integrity Commissioner's role. As he mentioned, there are only nine people working there. They'll probably need more. But I think it will be addressed in the future if this bill is passed and this bill is supported by both sides of the House, because it's very important to show the people out there, who trusted us to be in this place, some kind of responsibility and also to watch that their dollars are invested very well in many different directions.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Norm Miller:** I'm pleased to have an opportunity to make some comments on the speech from the member from Beaches–East York on Bill 201.

The member, toward the end of his speech, talked about ministerial responsibility, and I would agree with him that it seems to have disappeared around this place. There was a time when ministers actually did feel a sense of responsibility for their ministries, and also a time when the Premier held the ministers to account for what went on in their ministries. There are lots of examples in past PC governments where a minister stepped down, sometimes just for a few months until a situation was cleared up, but that certainly has not happened with this current government. We'll wait to see whether it ever does.

The member also brought up the Integrity Commissioner and whether that is the right spot for this oversight to be placed and the fact that the Integrity Commissioner has a staff of nine. He noted that we're looking for a new Integrity Commissioner. I happen to think the current one, Lynn Morrison, is doing a fine job. She'd be fine just to stay on, as far as I'm concerned.

The question is, is there another new bureaucracy about to be created? We've seen a huge increase in the public service under the McGuinty government. It seems that the only growth industry in the province is the public service under this government. Is this the best answer, to now create another bureaucracy to try to address this problem? What about just holding some ministers responsible?

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Ms. Cheri DiNovo:** The member from Beaches–East York, my colleague, gave reasoned and wise comments, and one of the challenges he put out to the government that I haven't heard an answer to is, why isn't the Ontario Securities Commission one of these agencies when it's one of the most problematic? That's number one.

Number two: There's nothing that makes the voters more incensed than when you've got an over-bloated bureaucracy that's spending money willy-nilly, like eHealth and OLG, and the answer to that is another over-bloated bureaucracy to be set up to investigate them as well.

This makes people crazy. These are tax dollars at work. These are tough times. We have a high unemployment rate. This doesn't wash. The member from Beaches–East York is quite right: We have the Ombudsman. He's done an incredible job, actually, and a very non-partisan job of critiquing the government on a number of issues, looking at a number of issues. He's asked for an enlargement of his agency. He's asked for increased responsibilities. Why not give it to him? That's where this responsibility should lie.

But most importantly, and this is the most important point that a number of members in the opposition have made, this is the minister's responsibility. We don't need another bureaucracy. We don't need more expensive expense accounts. We don't need one bureaucracy investigating another bureaucracy. We need ministers to do what ministers are supposed to do, which is not to micromanage, in response to the member from London–Fanshawe, but to take responsibility for their ministries. Simply do that, not create yet another body.

Again, I'd love to hear some actual responses from the government's side to the issues that my colleague raised, and they're substantial issues. People in Ontario want to know, and they would like to hear from it their government.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments? The honourable member for Peterborough.

**Mr. Jeff Leal:** I listened carefully to what I consider very thoughtful comments from the member for



Beaches—East York. He spent some time today on something that we need to remind ourselves of, which is commonly referred to in history as the Bevan principle of ministerial responsibility. He was the famous British member of Parliament, Chancellor of the Exchequer, who resigned because he accidentally released budget information the day before he was to officially release his budget in the British House of Commons. That is often referred to as the principle of ministerial responsibility.

The member spent some time talking about the Ontario Securities Commission. As an individual member of Parliament, I happen to agree with him, but I would go one step further. I think it's always been a bit of a ridiculous situation, in a country as large as Canada and having such a sophisticated securities operation, that we don't have one national securities exchange commission. Eliminate the 10 provincial commissions and give that national commission the kinds of investigative powers and staff it needs to look into these things, somewhat modelled on the United States, where they have aggressively prosecuted people who, by and large, have committed fraud in the securities area. The number one issue, of course, is the many small investors—by and large, that's the basis of the securities activity in many jurisdictions—who in fact have been the unfortunate victims of many frauds within that area.

One of the things that we'll be looking at is about 400 individuals who will be put under the review of the Integrity Commissioner of the province of Ontario. This is an important step forward, because I think all of us in this House share the common concern that we want to evaluate and look at ways we can enhance our—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. The honourable member for Beaches—East York, you have up to two minutes.

**Mr. Michael Prue:** I'd like to thank the members from London—Fanshawe, Parry Sound—Muskoka, Parkdale—High Park and Peterborough for their thoughtful comments. I must say I am very pleased today because all of you, which doesn't happen very often—all four actually referred to the speech and the things I was trying to say instead of giving their own comments and things in the scripted notes they were given in advance.

So I thank you for listening intently, all of you, with the exception, I must say, of the member from London—Fanshawe's one statement about micromanagement. I am not suggesting for a minute, nor would I ever suggest, that any minister micromanage his or her portfolio. No matter how small that portfolio is, you have to trust the people who work for you. You have to trust that they make the right decision. But ultimately, just as if somebody on my staff were to screw up, if somebody were to say something or do something that was inappropriate, it is my responsibility to do the correct thing by law and take the appropriate punishment or penalty. But ultimately I am the one whose name is on the ballot. I am the one who is responsible. I am asking the minister to do no more and no less than that.

To the member from Parry Sound—Muskoka: He talked about the responsibility and the growth in

bureaucracy. I too share some of those things about the growth in bureaucracy. I was a federal bureaucrat for a long time. I understand the necessity of having people in the field. But when you have bureaucrats investigating bureaucrats, as this is being set up, I'm not sure it's healthy.

1750

To the member from Parkdale—High Park, who talked about the OSC, and the member from Peterborough, who did too: Absolutely, I would concur that we need a national regulator, but we don't have a national regulator. I believe you were on the committee with me five years ago when we talked about having a national regulator, and all of us agreed that if we didn't have one within a year, we had to proceed on our own. Well, the five or six years have come and gone, we still don't have one, and with Quebec refusing, we may never have one. The time to act is now.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Norm Miller:** It's my pleasure to have an opportunity to speak to Bill 201, An Act to provide for review of expenses in the public sector, tabled by the Minister of Government Services, Mr. Takhar.

As I say, I'm pleased to have an opportunity to speak to it. I note the government members don't seem interested in speaking to it, except to do some two-minute hits. Perhaps that's because the government has decided that they want this bill to pass as quickly as possible, with as little notice as possible and with as little time as possible spent talking about the lack of oversight in terms of some of the scandals we have seen.

So I say to the Speaker, why has this bill come forward? I'd like to answer that question. That's because of the scandals, the summer of scandal we have seen this past year, starting off with eHealth, and I'd like to take a little time just to explain how that all came about. It came about because of the diligent work of the PC Party and their research staff, who provided freedom of information requests into expenses at eHealth. And I have to say that it wasn't a simple process of asking and getting all the information handed to us. It was a matter of doing requests and having the government delay as long as possible the time frame in giving a response and then giving no response and then our asking again and going through the same process over and over until in May of this year, finally, after repeated requests, we did receive a lot of information to do with eHealth and the misuse of public funds at eHealth. But it took a lot of persistence on the part of the PC Party to get that information.

That was, I believe, in May. That's when we learned that there were many untendered contracts, as has been mentioned by other members, and about the connections that a lot of the consultants had to each other and to the Liberal Party. We learned about things like the \$2,700 a day for some consultants and about \$16 million in untendered contracts. I think probably one of the worst abuses that I see is a \$25,000 speech. You know, it is just hard to fathom that the CEO of eHealth would spend that much money on a speech and also that the minister



wouldn't note something like that, something so significant—\$25,000 for one speech to her peers. I mean it's an outrageous waste of money, as far as I'm concerned, and I think most people in the public would agree with that. So it took a lot of work on the part of the PC Party to get that information out. That was back in May, and the story is still in the news.

We did the same thing with the Ontario Lottery and Gaming Corp., starting back in January. So the government has seen how eHealth has been a big news story. Maybe eventually people will realize it was the lack of oversight by the Liberal government that was the cause of it.

The government has taken a bit of a different strategy this time, and that is that the Minister of Finance decided to just dump all the information, just as they were finally about to give us the information through our freedom of information requests after many, many months. They decided to do a pre-emptive strike this time, so instead of having it come out slowly, the Minister of Finance dropped all the information in one day and then took the step of firing the CEO of the Ontario Lottery and Gaming Corp., I think hopeful that the story would just be over. From that information we see excesses like executives of OLG paying for things like car detailing and child care services, some abuses of alcohol and meals—meals of \$3,000 with a lot of booze involved in them. I would have to say, the government has been in power for six years; why did they not have rules about alcohol? I think, to the average taxpayer, the idea that executives of OLG would be going out and dining with themselves and having \$3,000 meals paid for by taxpayers is just not acceptable. That's why this bill has come about.

It's come about because the PC Party has been diligent in doing freedom of information requests on just two agencies. But there are roughly some 630 agencies and boards in the province of Ontario. We have FOIed two, but we are working on many more. To give a short list of some of them, we're actively making freedom of information requests on the WSIB—the Workplace and Safety Insurance Board—on the Ontario Racing Commission, on the Ontario Securities Commission, on the Financial Services Commission of Ontario, on the Ontario Realty Corp., on the Municipal Property Assessment Corp., on Hydro One, on Ontario Power Generation, on the Ontario Power Authority, on the Independent Electricity System Operator, on the Ontario New Home Warranty Corp., on AgriCorp and on the local health integration networks.

I suspect that from those freedom of information requests there will be a lot more information coming out. I fully expect we'll find more untendered contracts. When the government did sort of drop all the information on the Ontario Lottery and Gaming Corp., they didn't reveal the untendered contracts of the Ontario Lottery and Gaming Corp. So we'll be interested to see what information comes out to do with that.

We've been working diligently to try to hold the government to account, as is our job, but what about the accountability of the government, what about ministerial responsibility, as was brought up by the member from

Beaches—East York? I have to say I find it a little bit ironic, I guess, that the minister who has introduced this bill is the Minister of Government Services, Mr. Takhar. He was the minister who was, I think for the first and only time, found in violation of the Members' Integrity Act when the then Integrity Commissioner, Coulter Osborne, did his report on January 4, 2006, a detailed report, and found the member in violation of the Members' Integrity Act. Seeing as this bill is about having the Integrity Commissioner review expenses of 22 boards and agencies, what was the penalty, what were the ramifications of being found in violation of the Members' Integrity Act? The answer is, "Nothing." The minister is here introducing the bill. He wasn't kicked out of cabinet, wasn't asked to resign. So you wonder, what are the consequences? I would also ask, what exactly does a minister in the McGuinty government have to do to lose their job? We haven't seen an answer to that question yet, and I really do wonder exactly what you have to do. It is a little ironic that it's this minister who is introducing this bill.

I know we're just about out of time, and I have a lot more I want to say, but I will just begin wrapping up by saying that I think the circumstances requiring this legislation are particularly offensive given the tough economic times so many Ontarians are facing right now. So many have lost their jobs and tightened their belts, and then we see this sort of government waste. It's no wonder voters are so cynical, with an ever-growing sense of entitlement by agents and agencies of this government. Just to give you an example of that, I just received a letter from a constituent in Parry Sound—Muskoka, and he writes to me:

"Hi, Norm.

"Just a quick note from one of your constituents. I am once again disgusted and discouraged with the abuse of my hard-earned dollars that go for taxes in this country. I earn very little money each year and have four different jobs in order to make a living. Some of that money goes to the Ontario government. I am appalled by the attitude of entitlement that seems to permeate the government, not only of Ontario but all of Canada.... Those people buying golf green fees and exercise club memberships are stealing tax dollars. They should be arrested and charged with theft. Period."

He signed his e-mail "Mr. Disgusted."

This bill is going to require the Integrity Commissioner's staff of nine people to be looking after some 80,000 individuals and their expense reports. I think that's obviously not practical. I wonder whether the Integrity Commissioner is in fact even the right office for this to be happening.

I see you looking at the clock, and "It being 6 o'clock" I think is what you're about to say, so I will wrap up my talk at this time. Thank you.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Jim Wilson):** Thank you. It being 6 of the clock, this House stands adjourned until next Monday at 10:30 a.m.

*The House adjourned at 1801.*

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Clerk / Greffière: Deborah Deller

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Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
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<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
Broten, Laurel C. (LIB)	Etobicoke–Lakeshore	
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
<b>Cansfield, Hon. / L'hon. Donna H. (LIB)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture
		Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
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Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
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Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
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<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
		Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement
		Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Flynn, Kevin Daniel (LIB)	Oakville	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
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Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	
McNeely, Phil (LIB)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
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Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
<b>Munro, Julia (PC)</b>	York–Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative

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Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
<b>Peters, Hon. / L’hon. Steve (LIB)</b>	Elgin–Middlesex–London	Speaker / Président de l’Assemblée législative
<b>Phillips, Hon. / L’hon. Gerry (LIB)</b>	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	
<b>Pupatello, Hon. / L’hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l’opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L’hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
<b>Smitherman, Hon. / L’hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l’Énergie et de l’Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L’hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
<b>Watson, Hon. / L’hon. Jim (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l’Assemblée
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<b>Wilson, Jim (PC)</b>	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l’Assemblée
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<b>Wynne, Hon. / L’hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l’Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l’opposition officielle
Zimmer, David (LIB)	Willowdale	
Vacant	St. Paul’s	



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Helena Jaczek, Sylvia Jones  
Jeff Leal, Liz Sandals  
Maria Van Bommel  
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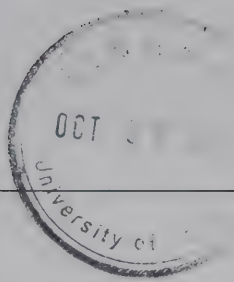
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No. 166



N° 166

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 39<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 28 September 2009**

**Lundi 28 septembre 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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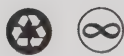
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111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
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Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 28 September 2009

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 28 septembre 2009

*The House met at 1030.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by the Islamic prayer.

*Prayers.*

### INTRODUCTION OF VISITORS

**Ms. Andrea Horwath:** I'd like to welcome municipal leaders and members of Mississauga and Oakville residents' associations who have worked really hard to clean up the polluted Clarkson airshed, including Mayor Hazel McCallion, city of Mississauga; Pat Mullin, councillor, city of Mississauga; Max Khan, Oakville city councillor; Allan Elgar, Oakville city councillor; Dorothy Tomiuk, secretary of the Mississauga Residents' Associations Network; Doug MacKenzie, president, Chartwell-Maple Grove Residents Association of Oakville; and members of the Whiteoaks Lorne Park residents' association, the Clarkson Fairfields ratepayers' association, the Sheridan Homelands in Mississauga, and the Joshua Creek residents' association of Oakville. Welcome, everyone.

**Mr. Charles Sousa:** Also joining this illustrious group from Mississauga and Oakville, I would like to mention that joining Her Worship Mayor McCallion, we also have Julie Desjardins; Pat Mullin, the councillor; Dr. Boyd Upper; Mike Douglas; Hugh Arrison; Maureen Shaw; Andrew Ganguly; Bill Wittman; Liesa Cianchino; Wendy Davies; Michelle DeGasperis; Ivan Sack and more. I apologize to those I have missed. Welcome to Queen's Park.

**Mr. Dave Levac:** In the gallery we have, visiting us from the great riding of Brant, the parents of page Beth: Susan and Henry Stulen. They do have—unable to join us today—an exchange student from France, who will be told the entire story of how we behave in question period.

**Mr. Rick Johnson:** I'd like to welcome two guests from my riding, Michael and Eileen Holmes. They're here visiting Queen's Park for the first time from the beautiful town of Bethany.

**Mr. Kevin Daniel Flynn:** There are many residents from Oakville in the audience who are here today to protest the OPA's proposal. Among some of the residents' groups that are here are Chartwell-Maple Grove, Clearview, Joshua Creek, and Trafalgar-Chartwell.

**Mrs. Liz Sandals:** I'm delighted to welcome the family members of page Kaitlin Wagner. With us in the gallery today, we have her mom, Johanna Wagner; her

aunt Linda Van Wyk; and a former page who has come back to visit us, Elise Wagner, who is Kaitlin's cousin. I assume Elise had a great experience, and now her cousin has come back.

**Ms. Helena Jaczek:** We will shortly be joined by some 100 students from grade 10 at Brother André Catholic High School in Markham.

**Hon. Donna H. Cansfield:** I'm pleased to announce that we have a guest, the father, John Grassby, of page Robbie Hamel-Smith Grassby, who is here in the gallery with us today.

**Mr. Michael Prue:** On behalf of page Connor, I would like to welcome guest Kyle Ahluwalia, who is the brother of the page, and Eileen Riley, the grandmother. They're in the east gallery.

### ELECTRONIC HEALTH INFORMATION

**The Speaker (Hon. Steve Peters):** On Monday, September 14, 2009, the member for Leeds-Grenville, Mr. Runciman, rose on a question of privilege, alleging that certain government ministers had misled the House when they indicated last June that a private company had been retained to conduct an outside audit of eHealth Ontario. The member for Welland, Mr. Kormos, and the member for Nipissing, Ms. Smith, also made submissions on this point of privilege.

I've had an opportunity to review Hansard, the relevant precedents and parliamentary authorities, and I am now prepared to rule on the matter.

As the member for Welland indicated when he spoke on the matter last Monday, there is a difference between privilege and contempt. Let me briefly explain the meaning of each. Erskine May, at page 75 of the 23rd edition, describes privilege as follows:

"Privilege, though part of the law of the land, is to a certain extent an exemption from the general law. Certain rights and immunities such as freedom from arrest or freedom of speech belong primarily to individual members of each House and exist because the House cannot perform its functions without unimpeded use of the services of its members. Other such rights and immunities such as the power to punish for contempt and the power to regulate its own constitution belong primarily to each House as a collective body, for the protection of its members and the vindication of its own authority and dignity."

Erskine May, at page 128 of its 23rd edition, defines contempt as follows: "Generally speaking, any act or



omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as contempt even though there is no precedent of the offence."

That is what Erskine May says on privilege and contempt.

It is important to be aware of the distinction between the two because, having reviewed our precedents and parliamentary authorities, I am of the view that a question of privilege alleging that a member has misled the House follows under the rubric of contempt as opposed to a breach of privilege. The same view was taken by Speaker McLean in an October 17, 1995, ruling and by Speaker Carr in a June 17, 2002, ruling.

In the 2002 ruling, Speaker Carr explained the parameters for finding a *prima facie* case of contempt relating to a charge of misleading the House as follows: "The threshold for finding a *prima facie* case of contempt against a member of the Legislature on the basis of deliberately misleading the House is therefore set quite high and is very uncommon. It must involve a proved finding of an overt attempt to intentionally mislead the Legislature. In the absence of an admission from the member accused of the conduct, or of tangible confirmation of the conduct independently proved, a Speaker must assume that no honourable member would engage in such behaviour or that, at most, inconsistent statements were the result of inadvertence or honest mistake."

In coming to this view, Speaker Carr examined the infamous Profumo incident in 1963, when the UK House of Commons passed a resolution to the effect that a minister was "guilty of a grave contempt of this House" after he admitted that he had misled the House when it was revealed that parts of a prepared personal statement he had made in the House earlier that year were not true.

The value of citing the Profumo incident lies in demonstrating how different that situation is from what is before me now. In that case, there was not only clear evidence that the House had been misled but that Profumo had deliberately set out with the intention of doing so. I would submit it is not the case here.

Also in his 2002 ruling, Speaker Carr examined a February 1, 2002, ruling by the Speaker of the Canadian House of Commons, a ruling that was mentioned by both the member for Leeds-Grenville and the government House leader. In that ruling, Speaker Milliken dealt with an allegation that then-National Defence Minister Art Eggleton had deliberately misled the House. By the time Speaker Milliken ruled on the matter, Mr. Eggleton admitted to the House that incorrect information had previously been provided, but that "at no time did I intend to mislead the House. I was answering with what I believed to be the correct information...."

1040

This fact situation in the House of Commons is thematically more similar to the case at hand in that there

is an absence of any evidence of a deliberate intent to mislead the House. Indeed, the member for Welland, during his arguments on this point of privilege, conveyed his belief that back in June "neither the Minister of Health nor the Premier had full possession of all of the accurate facts."

This question of intent is of utmost importance. David McGee, in the third edition of *Parliamentary Practice in New Zealand*, addresses this effectively on pages 653 and 654 of that volume:

"There are three elements to be established when it is alleged that a member is in contempt by reason of a statement that the member has made: The statement must, in fact, have been misleading; it must be established that the member making the statement knew at the time ... that it was incorrect; and, in making it, the member must have intended to mislead the House."

In the absence of any such criteria establishing intent, Speaker Milliken did not find a *prima facie* case of privilege had been made out in the Eggleton case. Nevertheless, he allowed a motion to be put to refer the matter to a standing committee, without objection from any member of the House. I have no reason to believe there would be similar tolerance of me taking such a liberty in this case.

In that vein, let me address the opposition House leader's suggestion that I could make a direct referral of this matter under standing order 108(g) to the Standing Committee on the Legislative Assembly, without the House having dealt with a privilege motion in response to a finding of a *prima facie* case of contempt in the Legislature. This is simply not possible. The member will know that standing order 108(g) only allows the Speaker to request that the Standing Committee on the Legislative Assembly review the standing orders and the procedures in the House and its committees. Nothing in that standing order cloaks the Speaker with the authority to make a referral concerning a member's conduct to the committee.

Earlier I quoted part of a statement that the member from Welland made when he argued this point of privilege on September 14. In fairness to him and to the record, let me finish the quote. The member for Welland went on to say that "what we're not prepared to live with is that they didn't correct the record at the earliest opportunity."

Here again, David McGee in *Parliamentary Practice* is helpful. Specifically addressing ministerial replies to oral questions, he says:

"A deliberate attempt to mislead the House would be contempt, and if a minister discovers that incorrect information has been given to the House, the minister is expected to correct the record as soon as possible. But subject to these circumstances, accuracy or otherwise is a matter that may be disputed and the Speaker is not the judge of it. It is a matter for political criticism of the minister concerned if members believe that a minister has answered incorrectly."

It seems apparent, in the absence of such corrections or retractions, that the Minister of Health is of the view not only that he and the Premier had not made a misstate-



ment, but also that they believed their statements in the House were accurate at the time they were made and that there is nothing to correct. Presumably this view is bolstered by the fact that by the time the House resumed earlier this month, additional information had become common knowledge.

The Speaker is therefore left without any clear evidence of a deliberate attempt to mislead the House and instead with what comes down to disagreement between members on opposite sides of the House as to the facts.

Since the circumstances that are the subject of this point of privilege fall short of establishing "a proved finding of an overt attempt to intentionally mislead" the House, I cannot find that a *prima facie* case of contempt has been established. I appreciate that members may hold divergent interpretations as to what transpired in June and during the adjournment, but these matters can be pursued and have been pursued in question period and other proceedings; it is not a matter of contempt.

In closing, I'd like to thank the member for Leeds—Grenville, the member for Welland and the member for Nipissing for their helpful suggestions in this matter. Thank you.

**Mr. Robert W. Runciman:** On a point of order, Mr. Speaker: I respect your ruling and accept your ruling. In your comments you talked about the restraints placed on you by precedent and the standings orders, and I would ask for unanimous consent from this House to put a motion to the assembly to refer this matter to the Standing Committee on the Legislative Assembly.

**The Speaker (Hon. Steve Peters):** The member seeks unanimous consent for a motion to refer this to the Standing Committee on the Legislative Assembly. Agreed? I heard a no.

## ORAL QUESTIONS

### ONTARIO ECONOMY

**Mr. Tim Hudak:** A question to the Acting Premier: The McGuinty Liberals initially forecasted a \$600-million surplus for 2008-09. Then the Premier revised his plans and forecasted a \$500-million deficit. He revised them yet again and said it would be a \$3.9-billion deficit, and then we found out late Friday the actual deficit for that year: \$6.4 billion. How can Ontario taxpayers trust the Premier when he missed his projections by some \$7 billion?

**Hon. Dwight Duncan:** Governments around the Western world have experienced similar situations. In fact, our government was the first one to acknowledge that deficits were happening. I remember the day I announced it, our federal counterparts were talking about surpluses into the distant future.

These are challenging times. We did see a drop-off in our corporate tax revenues of almost 50%—48%—resulting from the enormous downturn in the economy, and we

have laid out a plan to address the challenges in the economy to create jobs that is consistent, straightforward and will let Ontario get back to a rate of growth that will allow us to sustain the very important public services that we, on this side, want to protect: health care, education and a cleaner environment.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** A \$7-billion error is equivalent to the entire budget of the province of Saskatchewan, and the Premier's projections for this year are no more credible. First, he said it would be a deficit of a whopping \$14.1 billion, and then again, at the end of the day Friday, he revised that figure to say he plans to spend \$18.5 billion more than he takes in in revenue. People simply no longer believe Premier McGuinty's numbers, and they don't believe that we've hit bottom with this record \$18.5-billion deficit. Is Premier McGuinty going to plunge Ontario into \$20-billion to \$25-billion deficits?

**Hon. Dwight Duncan:** I think the member's wrong. I think people do understand. I do—

*Interjections.*

**Hon. Dwight Duncan:** I think the member's wrong. I think the people of Ontario, Canada, the United States and Great Britain understand that we've had the worst economic downturn in history. I think his concerns are completely misplaced. I think that we've invested in those areas and continue to invest in stimulus like our federal partners did. I remind the member that our deficit, the GDP and all the ratios that matter are all consistent with what's happening to governments of all sizes across Canada and the Western world. I disagree with the member. Ontarians do understand it, and I think they are glad we've invested in stimulus.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** I notice that the minister avoided answering how deep a hole he's going to dig. Here's what rightly angers hard-working Ontario families: Premier McGuinty increased taxes on Ontario families and businesses after promising that he would not; he raked in an additional \$27 billion in revenue and then he blew every penny. Now, we find out that Premier McGuinty has turned a \$27-billion cushion into a deficit hole of untold billions. I'll ask the finance minister very clearly: Will you confirm that the deficit for this year will not be a penny more than the record \$18.5 billion?

1050

**Hon. Dwight Duncan:** Our government, unlike the previous government, has been completely candid with the people of Ontario. I remember that when we came to office, there was a \$5.6-billion hidden deficit. Unlike my Conservative opponent, I don't think spending on education is a waste of money. Unlike my Conservative opponent, I don't think better health care outcomes are a waste of money. Unlike Mr. Hudak and our Conservative opponents, I don't believe that creating the greenbelt is a waste of money. There is no doubt that there are enormous challenges in our economy today, and there's no doubt that they call for leadership and difficult choices.



The people of Ontario entrusted those choices to this government because they don't trust that member or his party to act in their best interests.

### ONTARIO ECONOMY

**Mr. Tim Hudak:** Back to the Acting Premier: Certainly the Ontario PC caucus believes that multi-million dollar contracts to Liberal-friendly consultants at OLG and eHealth are an egregious waste of taxpayer dollars. The Ontario Liberals used to delight in pointing out that every hour, the Bob Rae government spent a million dollars more than they received in revenue. Today the McGuinty Liberals are spending \$2.1 million more per hour than you receive in revenue. Acting Premier, how is it possible that you have been able to make Bob Rae look like a financial wizard?

**Hon. Dwight Duncan:** I'd remind the member that we have pretty good company in Jim Flaherty in the federal government. He trivializes the challenges in the economy. He makes fun of the investments we're making in infrastructure, for instance to build roads, hospitals and schools to employ tens of thousands of Ontarians. He trivializes the need for governments to take an aggressive approach, which has been determined, by the way, by the International Monetary Fund, the OECD and the G20. We have chosen to invest in those stimulating programs to create jobs as the economy goes down. There is no question that there are difficult choices ahead, and we will undertake those decisions in a clear, candid and honest way, just as the people of Ontario have entrusted us to do.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** Let's be clear: We all know that a global recession hit, but Dalton McGuinty uses it as his crutch. Under Premier McGuinty's failed leadership, Ontario fell first, it fell faster and it fell farther than any other province in Canada. The Premier had a \$27-billion cushion of additional revenue, and you turned it into an eye-popping deficit. You're now adding \$2.1 million to the deficit every single hour of every single day. Blaming the global recession for that simply is not credible.

When will the Premier quit blaming everybody else and get his own fiscal house in order?

**Hon. Dwight Duncan:** The member opposite won't take my advice on this, so here's what Jim Flaherty said on May 26: "It's necessary in the short term to run a large deficit ... to make sure that Canada gets through this well." We concur. That's why our deficit-to-GDP is very comparable to the Canadian. That's why it's actually in better shape than some other comparable jurisdictions.

There's no question that a deficit of that order of magnitude is something that should be of concern to all of us, and there's no question that we will continue to manage, through these challenging times, the best we can.

What I can assure the member, however, is that unlike the member opposite and his party, we will not eliminate the deficit on the backs of those most vulnerable. We will do it in a responsible fashion. We will make sure the

books are completely transparent and open so that any government, when it comes to office, doesn't have to find what we found: a hidden deficit of \$5.6 billion.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** To the minister: A short-term deficit; give me a break. This is a record, whopping \$18.5-billion deficit, and you plan on running deficits for seven more years at least—as far as the eye can see. Minister, the first step to recovery is admitting that you have a problem. You've been in office for six years. You increased program spending in those years by some 60%. There's not a family in the province of Ontario that has done the same.

Just like Ontario families, the Ontario PC caucus believes that governments should live within their means. To the finance minister: Why did Premier McGuinty increase spending by 60% when he knew it would leave us vulnerable when times got tough?

**Hon. Dwight Duncan:** Now that he has confirmed that, let's find out: Does that mean he and his colleagues are opposed to new hospitals? Does that mean they're opposed to rebuilding our schools? Does that mean they're opposed to retrofitting schools? Does that mean they're opposed to new transit lines?

**Interjection:** They can't have it both ways.

**Hon. Dwight Duncan:** They're trying to have it both ways; they haven't laid out a plan. There's a whole range of things, and as they try to have it both ways, they can't.

We've done what governments throughout the Western world have done. We've done it in a way that's responsible, and in keeping with the measurements of these things, we will continue to make those kinds of responsible choices, the choices the people of Ontario have entrusted this government with.

### RELEASE OF PUBLIC ACCOUNTS

**Ms. Andrea Horwath:** My question is to the finance minister. The public accounts released Friday included a sign-off letter from the Auditor General dated July 31, 2009. Why did it take the McGuinty government an additional 55 days to publicly release the audited statements?

**Hon. Dwight Duncan:** Throughout our time in office, on at least two other occasions, we have released the statements in late September. This year, by the time we had incorporated the signed-off public accounts numbers into our forward-looking approach with respect to the next fall statement, which will be coming up shortly—I'll have information on that soon—this was the appropriate time to do it. It will be delivered in this House, and it will be done in an open and transparent fashion, as we do with all documents.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** In 2008, 2007 and 2006, the public accounts were released in August. But this year, with a bombshell that blows the government's fiscal assumptions wide open, they were delayed until after a



by-election, coincidentally. Can the minister provide an explanation to this House?

**Hon. Dwight Duncan:** The member conveniently ignored 2004 and 2005, and in 2004, it turned out that there had been a hidden deficit of \$5.6 billion. We released the fully audited statement towards the end of September, as we've done in past years. It is an open and transparent process.

I'll have more to say about the implications of those numbers with respect to the full year ahead at the time of my fall statement. We will continue to focus our efforts on creating jobs and addressing the enormous challenges that face governments throughout the Western world.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** Ontarians have a right to know about the province's finances. After all, it is their money that we're talking about. The budget information belongs to all of us. It's not the personal property of this minister or the Premier.

In Ottawa, the parliamentary budget office provides impartial analysis on the state of federal finances. Will this minister create such an office here in the province of Ontario?

**Hon. Dwight Duncan:** This government created the Fiscal Transparency and Accountability Act, the most sweeping piece of legislation designed to protect the interests of Ontarians. That act requires the auditor not only to sign off on our quarterly statements and public accounts, but to attest to the veracity of budget numbers going into an election.

That is the most far-reaching piece of accountability legislation that exists in Canada. It is the right approach, it's the approach we took some years ago, and it remains the right approach to ensuring that the people of Ontario have full and meaningful accountability of their government with respect to the management of their tax dollars.

## PUBLIC SERVICES

**Ms. Andrea Horwath:** Again to the Minister of Finance: The Minister of Finance made it clear over the weekend that Ontarians should expect drastic cuts to public services. I'm going to quote what he said: "We are going to have to take a hard look at everything on the expense side and make some difficult choices." What is this minister planning to cut?

1100

**Hon. Dwight Duncan:** The member opposite may not want to engage in that kind of discussion, but we do have to take those kinds of serious discussions.

I would suggest that she embellished my language that she quoted—a moment after she embellished it.

I would say this—

**The Speaker (Hon. Steve Peters):** I'd just ask the honourable member to withdraw that comment, please.

**Hon. Dwight Duncan:** I withdraw that—a moment after she had extended the intent of what I had said.

I would submit—

## Interjections.

**Hon. Dwight Duncan:** The sustainability of our public services is dependent on our ability to pay for them.

I look forward to the debates going forward that will allow us to sustain and enhance those public services, and I look forward to the contribution the member opposite will make.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** The minister is talking about slashing public services but does not say whether that means fewer nurses or longer hospital wait times. Meanwhile, the minister seems to be perfectly content with a \$2-billion-a-year corporate tax giveaway. When we're closing hospitals and threatening further cuts to public education, how can the minister justify such a massive giveaway?

**Hon. Dwight Duncan:** The challenge to all Ontarians today is to ensure a competitive economy that will yield the ability to preserve and indeed enhance our vital public services. This requires difficult trade-offs and difficult choices. You cannot have it both ways. We will be engaging in this sort of a dialogue as we move forward.

I acknowledge that these choices are difficult. I acknowledge that they will require leadership with respect to promoting a stronger economy to enhance the revenues that we need to invest in public health care, but I also assure the people of Ontario that we will have that robust kind of discussion and we will work very hard to not only protect but enhance those vital public services that all of us come to depend on.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** On the weekend the minister is ruminating about belt-tightening, but it's children in schools and seniors waiting for long-term care who are going to be feeling the squeeze in this province. Yet the minister is completely unwilling to reconsider his reckless plan for \$2 billion in corporate tax giveaways.

There was a time, once upon a time, when this government actually talked about balanced priorities. Does this minister think that forcing cuts on people and the services they rely on in these very difficult times, while giving away \$2 billion in corporate tax cuts, is showing balanced priorities for the people of this province?

**Hon. Dwight Duncan:** What we don't want to do is give away jobs in the future because we can't compete with other jurisdictions.

These are enormously difficult choices that all governments—

## Interjections.

**Hon. Dwight Duncan:** There are jobs gone in every major jurisdiction in North America. Those in the United States and heavily industrial jurisdictions like ours have been particularly hard hit. It's incumbent upon governments and incumbent upon all of us to describe very carefully how we are going to get Ontario through these challenging times, create the jobs and create the revenue base that will not only sustain but allow us to enhance the vital public services that all of us come to rely on. Those



are difficult choices, they are difficult balances that must be found, but we are committed to enhancing and improving the quality of public services across this province and, most importantly—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

## ONTARIO ECONOMY

**Mr. Norm Miller:** My question is for the Premier. Last week, the Premier ushered his Liberal friends on eHealth out the back door and helped them avoid accountability for spending scandals. On Thursday, the Premier tried to avoid his accountability for his huge tax grab by saying he hadn't read the four-page MOU that he negotiated. On Friday, he ducked accountability again by filing the public accounts just before the Clerk locked the office to go home for the weekend—the 12th press release of the day on Friday. Is it because he's embarrassed for promising a budget surplus when it turns out he delivered a \$6.4-billion deficit?

**Hon. Dwight Duncan:** I think the people of Ontario recognize and understand that governments throughout the Western world have experienced precisely what Ontario has experienced. Yes, we did seriously overestimate our corporate tax revenues last year—there's no question about it—as did the federal government, as did a number of our provincial counterparts.

**Interjection:** By billions?

**Hon. Dwight Duncan:** Yes, by billions, absolutely, and we saw what the results of what happened in the downturn were. This government will continue to implement the policies we believe very strongly are the right policies for the time, the sensible measures that will create jobs, create investment opportunities and help restore the economy to the point that we can enhance and invest in those vital public services that all of us believe very strongly in.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Norm Miller:** Again for the Premier: This morning, CBC Radio's financial columnist said it was obvious several months ago that there were serious problems with your budget numbers. The reporter said the McGuinty Liberals were either "incompetent or dishonest." To the Acting Premier: Which is it?

**The Speaker (Hon. Steve Peters):** Notwithstanding that he was quoting, I would just ask him to withdraw that comment, please.

**Mr. Norm Miller:** It was on the radio, but I'll withdraw that.

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. Dwight Duncan:** The reporter on CBC Radio was wrong. Last October, at the fall statement, I acknowledged that Ontario would have a deficit. I also signalled very clearly that that deficit could continue to rise if the downturn in government revenues continued. I updated those numbers in December and again acknowledged that those numbers could in fact be out of date; we may see an increase. I again acknowledged it in March, that it

would be going up, and unfortunately, that acknowledgment bore out the truth.

So, in fact, we've experienced what the federal government has, every other provincial government, the government of Canada and the government of the United States. It's difficult times. We're putting forward a plan to get out of them; that party has not.

## RURAL HEALTH SERVICES

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre des Finances. Ontariens are already seeing where some of the cuts are being made. It is perfectly clear as this government shuts Fort Erie's emergency room. The residents, the mayor, the regional council and the Ontario Medical Association have all called for a moratorium on this closure until the recommendations of the rural and northern health care panel are released in a month's time. Why has this government ignored this community's request?

**Hon. Dwight Duncan:** I want to remind the member opposite that in fact this government has made enormous investments in health care. We have to always be looking forward in terms of how we best manage the challenges in the health care system. I would remind the member that both the absolute dollar value investments in health care as well as the percentage of the provincial budget have continued to grow in quite a robust fashion.

I'll have a chance to speak to this in my supplementary, but we've made enormous progress on a whole variety of fronts, in terms of reducing wait-lists and so on. Again, these are always difficult issues to manage, but this government will manage them with the eye to ensuring that we continue to make those investments in the vital public services that all Ontarians come to rely on.

**The Speaker (Hon. Steve Peters):** Supplementary?

**M<sup>me</sup> France Gélinas:** We're talking about an issue of access in rural Ontario. Your government established a rural and northern health care panel, it has been up and running since this summer, yet nobody can get access to their mandate. My question will be very simple: When will the government release the rural and northern health care panel mandate? And can the minister guarantee that, in that mandate, every community that wants a public consultation will get one?

1110

**Hon. Dwight Duncan:** No government has moved to address the challenges in rural health care more than this government. I would remind the member that we have funded 1.69 million new procedures and reduced wait times for all Ontarians, including those in rural Ontario. We have funded—907,000 more Ontarians have access to family care, including people in rural Ontario. We have 14 new MRI machines and are doubling the number of MRI hours of operation; the people of rural Ontario benefit from that. There are 1,794 more doctors practising. Those doctors are serving all Ontarians, including Ontarians in rural communities.



This government will continue to work with rural Ontarians. It will continue to work with all Ontarians to ensure that we have the finest quality of public health care available and will make the decisions that have to be made to ensure that Ontarians can continue to count on those vital services—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### ECONOMIC DEVELOPMENT

**Mr. Bruce Crozier:** My question is for the Minister of Economic Development and Trade. Windsor-Essex has been one of the hardest-hit areas of the province during this economic downturn. The restructuring of the auto industry and the decreased demand for manufactured goods have resulted in significant plant closures and layoffs in my riding and in the surrounding area. Job security is a top concern for my constituents and, quite frankly, the constituents of many communities across the province of Ontario. It's for this reason that I ask the Minister of Economic Development and Trade, what's the government doing to help the Windsor-Essex region rebound from the negative effects of the current economic downturn?

**Hon. Sandra Pupatello:** I'm very pleased to address this question from the member from Essex, who works tirelessly on behalf of his constituents and frankly advances a number of projects that have sat for years as merely dreams, but in fact today are becoming a reality. This member in particular has participated in more capital projects in Essex than any other MPP in the history of Ontario's government, which is a tribute to this particular member.

Let me say that we know the bailout of two of our Big Three was probably the most significant action in this past year that has had much influence over all of southern Ontario—in particular, Windsor-Essex—for our auto parts and auto assembly workers. In addition, we've made some significant changes to tax policy so that we know our businesses will stay competitive as we go forward.

These are important initiatives. We look forward to a bright future in Windsor-Essex and we are doing a number of things to make sure that new industry will come to our area.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Bruce Crozier:** It's certainly reassuring to know that this government's working so aggressively to counteract the negative effects that the current downturn is having on the people of Essex-Windsor and the rest of the province. I applaud you for these efforts.

However, in the response, the minister mentioned the need to diversify and attract new industries to bring new capabilities and new jobs to our economy. The minister also made mention of the government's five-point economic plan, with reference to the needed support of innovation and to be partners in business. It's for this reason that I ask the minister, what have the ministry and

this government done to bring leading-edge business to Ontario, specifically in the economically challenged regions of the province like Windsor-Essex?

**Hon. Sandra Pupatello:** I'm very pleased to announce that both the member from Essex and I were participating in an announcement this past Friday in Windsor. It was actually right on the border between this member's riding and that of the member from Essex. It is the perfect example of two parts of our five-point economic plan, which include supporting innovation as well as supporting these leading-edge businesses by partnering with them. WindTronics announced on Friday that it is setting up shop in Windsor. It's very telling that it will be in a facility that was formerly used to make auto parts. They will be making a small wind turbine that will be used for both small commercial and residential applications.

This is the perfect example of turning to the future and looking for additional manufacturing opportunities outside of the typical automotive sector, but knowing that we can produce products that will be in demand around the world. This is an example of government—

**The Speaker (Hon. Steve Peters):** Thank you.

### GOVERNMENT CONTRACTS

**Ms. Lisa MacLeod:** My question is to the Acting Premier. I'm wondering if the Acting Premier could answer a technical question about the public accounts for me today. Where is the column showing the money that went to your Liberal friends?

**Hon. Dwight Duncan:** I'd remind the member opposite that the format for public accounts is agreed to by this Legislature, and presumably she and her caucus agreed to it.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Lisa MacLeod:** Again for the Acting Premier: The Liberals gave \$1.3 million in the past two years to the Premier's former chief of staff at Pollara. Allard Johnson Communications, of Adscam fame, received \$3.5 million as a quid pro quo, one could assume, for donating \$20,000 to the Ontario Liberal Party—

**The Speaker (Hon. Steve Peters):** I think the honourable member is treading down some territory and making accusations that—

*Interjections.*

**The Speaker (Hon. Steve Peters):** I'm going to move to a new question.

### CONFLICT OF INTEREST

**Mr. Rosario Marchese:** To the Minister of Education: Minister, your government is obsessed—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Stop the clock for a moment. I welcome the member's point of order, but I would certainly welcome it at the end of question period.

The member for Trinity-Spadina.



**Mr. Rosario Marchese:** Minister, your government is obsessed with EQAO test scores. Your control and manipulation of the process reached new heights when we found out that Lorna Earl, who is on the board of directors for EQAO, also runs a private company which specializes in showing boards how to get the numbers up. What Ms. Earl is doing in her own interest is also in your interest. Is that why you're ignoring this clear conflict of interest?

**Hon. Kathleen O. Wynne:** I spoke with the chair of the EQAO this morning. The EQAO does, as the member opposite I'm sure knows, have conflict-of-interest provisions in place. But in order to be completely transparent, the chair is referring this situation to the Conflict of Interest Commissioner, and we will await a ruling on the situation.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Rosario Marchese:** I'm glad that you're doing that, Minister, because in the interview on CBC, you didn't think there was one. We were concerned about that because, in my mind, this is no different from a teacher tutoring students on a for-profit basis to pass a test that he or she has influence over.

Here are some quotes from school board documents showing why Linda Earl was hired:

"To refine school improvement planning and interpretation of data"—from Thames Valley.

"Emphasis will be on system-wide improvement of student results on a measure of performance targets"—from Lakehead.

So Linda Earl is hired to improve the test scores, and the government, through Bill 177, is prepared to take over school boards that fail to improve their test scores.

My question was, how could the minister allow this clear conflict of interest to continue? But I'm glad you are referring that for a conflict.

**Hon. Kathleen O. Wynne:** I'm not going to comment on the specifics of the case except to say the woman's name is Lorna Earl, not Linda Earl.

The facts are that we are very conscientious in terms of our oversight of the EQAO tests. I spoke with the chair. I've said that the issue is being referred to the Conflict of Interest Commissioner. I think that the understanding that what we need are the best professionals to be advising us on our student achievement is exactly what we have attempted to put in place with all of our agencies and with all of our bodies.

The member opposite needs to get his facts straight. I have said to the press that this has been sent on to the Conflict of Interest Commissioner, and I will not comment on the specifics until we hear that ruling.

## TAXATION

**Mr. Dave Levac:** My question is for the Minister of Revenue. The transportation and warehousing industry plays an important role in the riding of Brant, and the transportation and warehousing sector provides a sizable number of good jobs in Brant. The people provide for

their families through these jobs and contribute to Ontario's economy. Employers such as Keith Hall and Sons Transport Ltd., which employs 150 people in the county of Brant, and Lumsden Brothers, which employs roughly 500 people in the city of Brantford, make an incredible difference in our community. Trucking and warehousing businesses come in all shapes and sizes, from large firms to small mom-and-pop operations, as you know.

I've been talking to my constituents in this particular sector, and they have concerns about the implementation of the HST and what it's going to mean to them and their families and employees. A report by the Canadian Federation of Independent Business last week shows that there is little understanding of HST in the community. Minister, what effect is the HST going to have on these sectors in my riding?

1120

**Hon. John Wilkinson:** I want to thank my friend for the question, and from my recent visit to his riding, I know how important the transportation and warehousing sector is in the riding of Brant. I want to let you know—and I hope you can share with your constituents—that estimates show that Ontario's transportation and warehousing sector will save roughly \$500 million a year, net, as a result of our tax reforms. I know that is good news in Brant and across the province. Now, this includes some \$480 million through the harmonization of sales tax plus another \$60 million through corporate income tax savings, another \$35 million as a result of the elimination of the capital tax.

Times have changed, and we have to make sure that our businesses can compete and win in a highly competitive global economy. Our tax reforms, the harmonization of the sales tax, and some \$15 billion worth of income tax cuts over the next three years for people, for small businesses and corporations is designed to get people back to work—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Dave Levac:** I appreciate the minister's bringing some clarity to this, and we all know that there's some misinformation out there regarding the HST. Some people are only telling half the story—half the story. Minister, Michael Smart's study on the effect of HST on the Atlantic provinces revealed that harmonization led to consumer price reductions and an increase in business investment. Over 130 countries, as we know, have already harmonized their sales tax. Supporters of the HST in Ontario include TD Financial bank, the Ontario Chamber of Commerce, the Ontario Association of Food Banks, and the Ontario Non-Profit Housing Association. I know that a group of businesses recently came together to support the government in its HST, and that is the Ontario Trucking Association and the Ontario Road Builders Association.

Minister, Ontario needs to be more competitive and create jobs. How can we believe one side that tells us half the story, or do we want to trust the Ontario Trucking Association—



**The Speaker (Hon. Steve Peters):** Thank you, Minister.

**Hon. John Wilkinson:** Well, I want to assure the House that on this side of the House we will always tell the whole story about our tax reform package—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. I just admonished an honourable member over her line of questioning—over imputing some motive. And here you go doing exactly the same thing.

New question. The member from Kitchener–Waterloo.

### SKILLS TRAINING

**Mrs. Elizabeth Witmer:** My question is for the Minister of Training, Colleges and Universities. Minister, dozens of people have been laid off, and they were shocked and devastated to be notified late last week that they would not receive funding from the Second Career program for courses which were to begin today and into the future.

Minister, this is cruel, and it's very insensitive. People who have been laid off have enough problems trying to meet their rent and their mortgage payments and seeing the end of their EI, and now they have to deal with this sudden, last-minute cancellation of their retraining plans. As one man said in an e-mail, "A promise was made and broken by the government. I have hit rock bottom." Minister, will you tell these people today when the funding for the Second Career program will start again?

**Hon. John Milloy:** I appreciate the honourable member's question. I just want to provide a little bit of context to the Legislature about the Second Career program. It came into play in June 2008 with the target of 20,000 people over three years. I informed the House last week, I believe it was on Wednesday, that we had 17,500 people who had been approved. I'm happy to inform the House that as of Friday, we have approved close to 21,000 people.

At the same time, this September, we have approved close to 10,000 people into the program. That is an 800% increase over what happens in a normal month. The average is about 1,200. I recognize that there is a backlog in the system, and officials—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Elizabeth Witmer:** Minister, your response is cold comfort to the laid-off workers in Waterloo region and elsewhere who are dependent on retraining. I talked to Conestoga today—people showed up this morning hoping against hope that you would have restored the funding. I would like to tell you about Mike Weppeler. He was laid off as a land surveyor after 20 years. He was to start today at Conestoga. His EI will run out on November 14. He says, "I need help.... I need retraining"; about people like Jane Code, a 46-year-old woman who says, "I need the course.... I need to work.... I'm a widow"; and Chris Laramie, whose EI payments finished on Friday and who planned to start a course today.

Minister, you have broken your promise to these people. When will the funding be restored for the Second Career program?

**Hon. John Milloy:** I know that the honourable member would never want to leave the impression that there are people whose approvals have been revoked. We have approved close to 10,000 people. I acknowledge that there is a backlog in the system. Officials were working over the weekend and they continue to work to address this backlog, and also to bring forward new guidelines for the program so that we can manage it moving forward.

I'd like to remind the member that it's her party that first of all voted against this program and spent last year standing up in this House criticizing it. We have been able to help nearly 21,000 people in the province of Ontario. I am very proud of the success of Second Career, and we're going to continue to work with the program to make sure we can welcome more people into it.

### ELECTRICITY SUPPLY

**Ms. Andrea Horwath:** My question is to the Acting Premier. Local politicians and residents from Oakville and Mississauga are here today. They want to know why this government insists on building a billion-dollar, polluting gas plant near their homes when electricity demand is down across this province, when 23,000 residents have signed a petition against the plant, and air pollution contributes to the premature deaths of more than 1,000 Peel and Halton residents each and every year. If the McGuinty government is so committed to green energy, why is it bulldozing ahead with a polluting gas plant?

**Hon. Dwight Duncan:** To the Minister of the Environment.

**Hon. John Gerretsen:** First of all, let me also welcome the people from Oakville and Mississauga here, including of course Mayor Hazel McCallion, the dean of Ontario's municipal leaders.

Let me also say that I've had the opportunity to meet with the various groups in the Mississauga area on at least two occasions—the last being about two or three months ago, a meeting that was attended by Mayor McCallion as well. I can assure you that any plant that is going to be built there is going to meet the high air quality standards that we have in the province of Ontario.

*Interruption.*

**Hon. John Gerretsen:** You know, they can laugh about it, but we are—

**The Speaker (Hon. Steve Peters):** We welcome our guests here to the Legislature. We ask that you observe the deliberations. As much as you may want to participate, you're not allowed to. Thanks.

Minister?

**Hon. John Gerretsen:** We have improved the air quality standards in this province by 57 new standards since we became the government. I can tell you that any proponent will be required to address the cumulative



potential impacts that there may be as a result of any plant being built in the area. We want to make sure that the people of that area and the people of Ontario have the best air quality that can possibly be in the province of Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** The government talks about offsetting pollution from the plant by reducing industry emissions, but the gas plant will pollute so much that the government would have to shut down Ford, Petro-Canada and dozens of other plants to offset this gas plant's emissions. Since this government has already stalled the plant for a month to come up with the half-baked, offset idea, will it now commit to a one-year moratorium and put in place an independent review of the health impacts and alternatives to this polluting gas plant?

**Hon. John Gerretsen:** We have been dealing with this issue for the last two years within the Ministry of the Environment on an ongoing basis. Let me once again state to the member that the proponent will be required to address the potential cumulative impacts of this particular project at all stages of the approval process. First of all we need energy; we all turn the lights on at night, including the people of Mississauga and Peel, so we want to make sure that the air quality standards are as high as they can possibly be and that any cumulative impacts that this plant is going to bring into the equation will have to be dealt with to meet our air quality standards.

1130

## EDUCATION FUNDING

**Mr. Yasir Naqvi:** My question is for the Minister of Education. Minister, I understand that this morning, you announced that over the summer the McGuinty government delivered over one million library books to Ontario schools. I know that schools in my riding of Ottawa Centre have benefited from this investment, as have vendors in Ontario.

We know these are tough economic times. I want to ask the minister if she can tell the House why this is a sound economic investment.

**Hon. Kathleen O. Wynne:** I want to thank the member for Ottawa Centre for his work, particularly on the economic file. He understands that there are a number of things that we have to do as a government to deal with the economic downturn. Restructuring our tax system is one of them. The other one is we've got to make sure that our students are successful. We've got to make sure that they have the resources that they need.

This morning, I was at Terry Fox Public School with the member for Ajax-Pickering. By the end of this school year, we are going to have delivered more than two million school book resources to our schools' libraries. That means that students in schools across the province have new materials to work with, that means that kids who maybe aren't engaged in traditional materials have graphic novels to read, that means they have talking

books that they can use on MP3 players, that means that the resources in our schools are up to date, and that means that more kids will succeed.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Yasir Naqvi:** The minister referred to the future competitiveness of Ontario and economic success. My riding of Ottawa Centre is home to many young families. Parents often tell me about their concerns regarding their children's education prospects. Investing in more library books sounds like a great idea.

How does the minister know that the government's investments and initiatives in publicly funded education are working?

**Hon. Kathleen O. Wynne:** On top of the advantage to our kids, there are 72 Ontario vendors which were part of this process and which were able to provide these resources.

When I go to schools around the province—I know that everyone in this House who has visited schools can share in this opinion—there are wonderful things happening because of the staff in our schools and because of the support that those adults are giving our kids.

According to the pan-Canadian assessment program, Ontario's English-language students were the only ones to score above the Canadian average in math. The Progress in International Reading Literacy Study: Ontario's 9- and 10-year-olds rank among the top readers in the world. By any objective measure, our students are doing well. We can pit our kids against kids from other countries. We're coming out very close to the top, and that's because of the investments that we've been making in our publicly funded education system.

## VICTIMS OF CRIME

**Mrs. Christine Elliott:** My question is for the Attorney General. Patricia Marshall and her daughter were here last Wednesday asking for your help, and they're here again today. They left last week shocked by the fact that you simply accepted the decision of the crown attorney in St. Catharines, a decision not to proceed with a charge of criminal harassment against a young man who was caught on video masturbating outside her daughter's bedroom window. Despite a videotaped, properly obtained confession, the crown withdrew the charge.

This is clearly not a case where there was no reasonable prospect of conviction. Can you tell us, Attorney General, why these charges were dropped?

**Hon. Christopher Bentley:** As I indicated last week, the conduct that affected the family was deeply disturbing. People have the right—the right—to be secure in their homes. They have the right to be secure and to know that they will be secure in the future. The police investigated, as they should, thoroughly. Then the matter went to consideration by the crown, who is, of course, required to apply the facts to the provisions of the Criminal Code as they exist.

The crown wrote a very extensive letter to the family where he indicated that one thing he should have done—



absolutely should have done—is sit down with them. He didn't do that, but he always had his responsibility, as the crown, and the protection of the community—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Christine Elliott:** The fact remains that Ms. Marshall and her daughters are not living in safety in their own homes. They feel threatened. The threatening continues. They've been abandoned by our justice system, and the only means of defence they have right now is a video camera in their backyard. Even that's not secure because last Friday, they received a letter from the young man's lawyer telling them that they needed to remove the camera or there were going to be consequences.

Attorney General, you have options. What are you going to do to ensure Ms. Marshall's and her daughters' safety?

**Hon. Christopher Bentley:** With respect to the latter matter, I won't discuss anything in relation to the video camera. I think there are other avenues within the community that it's not my power to intervene on.

I would simply come back to this: I understand. I get the fact that somebody in your situation, I say through you, Speaker, to them, would be very, very concerned—absolutely. It is deeply disturbing conduct. The police conducted a very thorough investigation and they provided the material to the crown, who did his responsibility, who reviewed the facts in relation to the charges laid and took a look at the factors, assessing community safety, and made the decision. We all want to safeguard—

**The Speaker (Hon. Steve Peters):** Thank you.

#### DRIVER LICENCES

**Mr. Gilles Bisson:** My question is to the Minister of Transportation. Minister, you will know that one of the important things for young people is getting that driver's licence. If you can get your driver's licence, as a young person it's the first step towards independence and sometimes getting a job. It's no different for the people living on the James Bay coast, but here's the problem: They're required to have the licence, which is right, but you can only get a drive test twice a year in Moosonee.

Tell me how that's fair for those people to be able to get access to get their drivers' licences in Moosonee. Shouldn't we increase the service beyond twice a year?

**Hon. James J. Bradley:** I would be happy to review that with the member. I'm glad he asked that question. He represents a northern community and many of the sites are much more remote in the northern part of the country than they are elsewhere, and there are different circumstances. I think that when we think of the province as a whole, we recognize there are many areas that are adequately served. The member draws to our attention a specific—and he may even have some other circumstances where he feels that people are not served as they might be. It's particularly important for employment purposes, I know that, but even for doing things that

families have to do together and so on. All of that is extremely important.

I'm very pleased that he took advantage of the opportunity in this House to raise this issue with me and I'll be more than happy to look into it and get further information from him on that and perhaps other circumstances that are facing people within his riding.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Gilles Bisson:** To the minister, is that really untenable? If you live in Attawapiskat, Fort Albany, Fort Hope or any other place, you cannot get a test to get your driver's licence. You've got to pay big money to get on an airplane, because they're landlocked communities, a thousand bucks a pop to get into a town like Moosonee or Cochrane to get your drive test.

Here's what's worse: They make appointments, they buy the airline ticket, they fly themselves at \$1,000 a pop down to Moosonee or Cochrane, then they get cancelled at the last minute. My question to you, Minister: Are you prepared, at the very least, to reimburse these young people for the flights they've had to take because of the cancellations by DriveTest?

**Hon. James J. Bradley:** I have to say to the member that I'm more than happy to look into the issue. I'm glad that he provided me with further details on it, and I know that if I were to ask him to do so, he would provide even greater detail on it. I fully expect he is going to, because for the people who reside there it's extremely difficult. We want to ensure that, as much as possible in the province, we have an opportunity for people to be able to obtain a licence.

I say that there's a particular circumstance that the member has brought to our attention where there's an extreme cost to come down, and the cancellation is extremely unfortunate. So I will be happy to look into that with the member and work with him, as I always do, so carefully on matters of this kind.

#### CONSUMER PROTECTION

**Mr. Rick Johnson:** My question is for the Minister of Consumer Services. Minister, as you are no doubt aware, consumers play a vital role in Ontario's economy. In fact, three out of every five dollars in Ontario's GDP is attributed to consumer spending. This is the largest percentage of any Canadian province. Now, more than ever, an informed consumer is a source of strength and confidence in our markets and our economic growth.

Ensuring that consumers have access to adequate information and enjoy consumer protection is extremely important. In my riding, I know my constituency office is frequently contacted by Ontarians concerned about business practices who are looking for information about their rights as a consumer. How does your ministry protect consumers?

1140

**Hon. Ted McMeekin:** Well, what can I say? My thanks, obviously, to my honourable colleague. He's ab-



olutely right: Consumers do play a vital role in the Ontario economy.

I'm proud to say that the McGuinty government is standing up and protecting consumers every single day. Our view is that we're here to help.

The consumer protection branch at the Ministry of Consumer Services works with Ontarians to ensure that they know their rights and responsibilities as informed consumers. This involves dealing with thousands—in fact, over 10,000 concerns last year: everything from collection agencies, home renovations, telecommunication services, motor vehicles, what have you. In the last year, our ministry has secured over \$570,000 in refunds for consumers and over—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Rick Johnson:** Minister, I'm pleased to learn that your ministry takes consumer complaints seriously, and I'm surprised to learn of the volume of inquiries handled by your ministry annually. However, enforcement and corrective action taken by your ministry are just one side of the coin. While it is vital that Ontario's consumers have a method to redress potential wrongs, it's equally important that we create the conditions to minimize complaints and nip problems in the bud.

In my riding, I often hear from constituents, especially seniors, about their concerns and desire for greater consumer education.

Minister, what steps does your ministry take to educate consumers, and what are some of the rights consumers in Ontario deserve in the marketplace?

**Hon. Ted McMeekin:** Again, my thanks to my honourable colleague who fights so hard to protect consumers in his riding.

Annually, my ministry contributes to effective consumer education through a variety of resources. Many members of this House know and, I'm sure, distribute our annual Smart calendar, which provides useful information about preventing identity theft, protecting seniors—

**Hon. Harinder S. Takhar:** In different languages.

**Hon. Ted McMeekin:** —and in many, many different languages, my colleague adds. He's correct.

We deliver over 100 public consumer education seminars annually and we do this because we believe Ontarians need to know their rights as consumers.

Smart consumers are good for business, and smart businesses value informed consumers.

#### DRIVER LICENCES

**Mr. John Yakabuski:** My question is to the Minister of Transportation. Minister, there's more fallout from your DriveTest centre strike. A constituent of mine inadvertently allowed his licence to expire and was told that the one requirement to have it reinstated is a vision test. So far, so good. Unfortunately, he can't get that vision test—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Stop the clock. Minister of Municipal Affairs, I would ask you to just withdraw the comment and watch what you're saying.

*Interjection.*

**The Speaker (Hon. Steve Peters):** Please continue.

**Mr. John Yakabuski:** Unfortunately, the ministry only recognizes their own vision test. It's no good to get a vision test from an optometrist, which he's prepared to do so he can have his licence reinstated. They're telling him, "No, you've got to have it done here at the DriveTest centre." Well, the DriveTest centres are closed. This person now has had to hire a driver at great expense to get around because your ministry will not reissue his licence. Will you remedy this now, Minister?

**Hon. James J. Bradley:** I wish it were that simple, I must say. I must say to my good friend who has brought this to my attention—I want to say to members of the House, first of all, he was kind enough to bring it to my attention earlier and we had a discussion about it. He's very good at doing those kinds of things and is genuinely concerned about it.

The problem that you encounter is consistency: consistency of vision tests that are administered in the province of Ontario. The second is, even if you were able to get that information from an optometrist or ophthalmologist, it still has to be processed by the people who work for Serco itself. It has to be entered into the system. They are on strike at this point in time. I would hope that both sides would work together to end the strike—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. John Yakabuski:** Minister, you're on the record as saying that someone would not be denied a renewal of their licence because of this DriveTest centre strike. This is precisely what is happening because of a technical thing. If you're going to get your eyes tested, are you telling the people of Ontario, "Don't go to the optometrist anymore, don't go to the ophthalmologist. Come to one of our DriveTest centres. We're better"? This is no reason to be holding a man up from getting the licence that he requires to make a living. He is a dance instructor who drives from community to community and has now had to hire a driver in order to make a living.

This is a technical thing that you can, I believe, remedy. Anybody who can get a test from a qualified ophthalmologist or optometrist should be able to get their licence reinstated while this DriveTest centre strike is going on. Will you rule in their favour, please?

**Hon. James J. Bradley:** In this specific case, and the member was kind enough to point this out to me when we had our discussion, the individual had allowed his licence to lapse. In other words, he did not renew that licence, unfortunately. Where there are people who want to renew a licence and want to make an appointment to do so, we said that we would extend it. In this particular case, the individual had allowed his licence to lapse. There are not exceptions made for people who allow that to happen. It's unfortunate. They don't do it deliberately.



You and I know that they don't do it deliberately, but it does happen that way.

Your government set up Serco, my friend, and you will recall that there were some very difficult challenges that arose when you privatized Serco in the province of Ontario.

I know the member and I will continue to work together on this. I wish it were as easy as the member thinks. Unfortunately, it is not in this case and we will work hard with the Minister of Labour to get—

**The Speaker (Hon. Steve Peters):** Thank you, Minister.

### USE OF QUESTION PERIOD

**Mr. Robert W. Runciman:** On a point of order, Mr. Speaker: This point of order is related to at least two standing orders, 23 and 37, and deals, of course, with your ruling finding the question from the member from Nepean—Carleton out of order earlier today.

Your ruling, Speaker, has significant implications for the opposition parties. I would like to give you notice, Speaker, that I would appreciate the opportunity to research precedent and take a closer look at the standing orders with respect to this issue because of its implications for the opposition to perform its role effectively. What I would suggest is that I will pursue the details with respect to the point of order tomorrow, if that's appropriate from your perspective.

**Mr. Peter Kormos:** I spoke briefly with the opposition House leader about this matter and about our desire to join with him in this point of order. It's a peculiar thing, because we're certainly not challenging the Chair by any stretch of the imagination. As Mr. Runciman indicated, we're referring to 37, in particular 37(a), and also to 23(h) and (i), both of which involve, first, making an allegation against another member and, secondly, imputing false or unavowed motives to another member.

Our job here is to hold the government accountable. This is what question period is about: It's about accountability. So with respect—and I appreciate that this is a dog of a little bit of a different colour—I ask you to accede to the request of Mr. Runciman, and I indicate that we will be joining with him. It won't be lengthy. Quite frankly, you may want to tell us what time you prefer that we deal with this so we can do it in a manner that's most convenient to you.

**Hon. Monique M. Smith:** Mr. Speaker, I am concerned that they are challenging your authority to make the ruling that you made earlier today. We do support you in your ruling of earlier today, but should you choose to hear this in a more fulsome manner, we will be prepared to make submissions as well.

**The Speaker (Hon. Steve Peters):** I would like to thank all the honourable members, and I certainly welcome and will hear the deputation from the honourable members and would encourage everyone, because I think anything that we can do to help improve the flow of question period benefits all members. We've had a lot of

discussion in this chamber about questions coming from all sides of the House, and I think that anything that we can do to help improve that, because—a couple of things. I will say that certainly, to my mind, I have warned members about imputing motives, and that comes from both sides of the House.

Yes, I recognize that, as the honourable member has said, it's specifically a member. I did listen closely to the honourable member's supplementary. It was very clear and unequivocal that an assertion was being made that there were motives.

As I say, I certainly welcome hearing from the member from Leeds—Grenville, and I would welcome the input from the member from Welland and the government House leader. If there's anything that we can do to help improve the performance of question period, I would welcome it.

I think it would probably be preferable to see that after question period, if it's after question period tomorrow. I wouldn't want to do it before then. I think it would be better to do it following question period.

There being no deferred votes, this House stands recessed until 1 p.m.

*The House recessed from 1151 to 1300.*

### INTRODUCTION OF VISITORS

**Mr. Peter Tabuns:** I want to take the opportunity to introduce Teresa Osterback from Dundas—Flamborough—Ancaster West, if I haven't mangled the name of the riding too badly, our guest today.

### MEMBERS' STATEMENTS

#### McMICHAEL CANADIAN ART COLLECTION

**Mr. Ted Arnott:** The McMichael Canadian Art Collection in Kleinburg showcases much more than art. It showcases the very best in our province and our country. Soon the rest of the world will have the chance to see that too. I'm pleased to report that the McMichael collection exhibit Challenging Traditions is en route to the Olympic Museum in Lausanne, Switzerland. It's all part of that museum's exhibition program recognizing Canada's hosting of the 2010 Winter Olympics in Vancouver, just over four months away.

The McMichael exhibition highlights some 40 living Canadian artists using the traditions, forms, styles and materials of west coast First Nations art. The exhibition also builds on the tradition and extraordinary generosity of the late Robert and Signe McMichael, who I was honoured to know.

I want to acknowledge the artists' creativity and their important place in the cultural history of Canada. Further, I want to congratulate Tom Smart and all the staff at



McMichael for their exceptional job in creating this timely and groundbreaking exhibition.

I'm privileged to serve as the opposition critic to the ministers of culture and aboriginal affairs. The McMichael exhibit shows us the best of both.

A few days ago, I returned to the McMichael gallery, one of my favourite art galleries, and the first one I visited more than 20 years ago. It was great to be back and see first-hand the works that depict our scenic beauty in Wellington-Halton Hills. We in Ontario are very fortunate to have this cultural gem in our own backyard.

#### POWER PLANT

**Mr. Kevin Daniel Flynn:** I rise in the House today to announce my support for Oakville's demand for cleaner air and better health.

You may know, Speaker, that my community has actively protested the Ontario Power Authority's proposal to build a natural gas power plant in the Oakville community, and their efforts have my support. The residents of Oakville have sent hundreds of e-mails, they've signed petitions, and they've attended rallies. Today, they were with us at Queen's Park. They're asking the Ontario Power Authority to cancel their plans.

Oakville town council, led by Mayor Rob Burton, has also fought the plan and urged for a reduction in pollutants. I commend the approach they have taken. Town council has passed an interim control bylaw that bans the construction of power plants within Oakville.

Our government promised to take action to improve the health and the environment of our province. Today, during question period, Minister Gerretsen promised action on cumulative emissions, and that certainly is welcome news.

The Green Energy Act, the Toxics Reduction Act and a commitment to close coal plants by 2014 will significantly improve Ontario's health and the environment. However, the Ontario Power Authority's plans to build a power plant will simply increase emissions in what is already an overtaxed airshed. So I join with my community and municipal leaders in urging the Ontario Power Authority to reconsider their intention to increase pollution in Oakville and to meet my community's demand for clean air and better health.

#### JADE SCOGNAMILLO

**Ms. Sylvia Jones:** I am very pleased today to honour a young woman from my riding of Dufferin-Caledon. This summer, Jade Scognamillo from Caledon officially became the youngest swimmer ever to cross Lake Ontario, at the age of 15. Jade completed this historic swim in 19 hours, 59 minutes and 49 seconds.

Swimming across Lake Ontario should have been enough, but Jade did all this for a great cause—two great causes, in fact. Jade did the swim to raise money for the Hospital for Sick Children in Toronto. Jade's swim helped raise more than \$47,000 to purchase an incubator

for the hospital's neonatal unit. She also raised another \$5,000 for the local Headwaters Health Care Centre in Orangeville.

I had the pleasure of meeting Jade this summer as she took her oath of citizenship on Canada Day. You see, Jade just became a Canadian citizen on July 1. She wanted to be able to do this historic swim as a Canadian.

Jade has proven to be a fantastic role model for young people across the province. Jade's motivation to improve the lives of others and volunteer within her community really does make a difference.

Congratulations, Jade.

#### WORKPLACE SAFETY

**Mr. Bas Balkissoon:** I would like to take a moment to remind members about the McGuinty government's initiatives to address the serious issue of workplace injuries. Our workers are among the most productive, and this government is committed to having the highest safety standards to protect workers and their families. As a key part of this injury prevention strategy, safety inspectors will blitz construction throughout October to eliminate electrical hazards that could lead to injury or even death.

The dedication of the McGuinty government to the safety of Ontario workers has been exemplified through the Minister of Labour's compliance program that ran from April 1, 2004, to March 31, 2008. This program helped reduce lost-time injury rates by 20%, or more than 50,000 incidents. This reduction also saw a drop in the annual rate of lost-time injuries, with employers avoiding about \$5 billion in direct and indirect costs over the last four years. This lessened the strain on the health care system, and fewer workers off the job meant increased productivity in Ontario's economy.

The McGuinty government recognizes the skill and value of Ontario workers, and while there's always more to do, we will continue to implement strategies to promote the overall well-being of Ontario workers.

#### POWER PLANT

**Mr. Toby Barrett:** Speaker, as you know, we heard from visitors in this House today on just how lost this government has become in planning for future energy needs. Since 2006, the Conservative member from Halton, Ted Chudleigh, has been trying to get the government's attention to allow the people of Mississauga and Oakville and, indeed, people across the province input into power plants planned for their area.

The year 2006 was the same year that the Ministry of the Environment found the Clarkson airshed was taxed or compromised and contained elevated levels of particulate matter in the air. Yet, in that same airshed, this government has pushed forward with plans for an 850-megawatt gas-fired power plant—a plant that 23,000 have now signed petitions against, a plant that close to 1,000 came out to an Oakville park this summer to protest, and a plant that people have packed the galleries to object to.



As the Halton member told the Oakville crowd, "I fail to be convinced that we need this power plant. I'd like to see the government build power plants in airsheds that aren't overtaxed. I'd like to see the government build power plants in areas where people aren't."

Perhaps the government members haven't heard that their lack of planning has turned an economic downturn into a debacle and has made it unnecessary to build these kinds of new generating stations. It's time for this government to go back to the drawing board, crunch today's numbers, not those of three years ago, and clean up the air.

### SMART METERS

**Mr. Peter Tabuns:** There's no question that building a smart grid in Ontario is advantageous to us, but the investment in smart meters in individual homes and small businesses is a mistake. It's the wrong direction for Ontario, and it means that we are going to spend hundreds of millions of dollars on penalizing people for trying to cook lunch for themselves at midday when we could be taking that hundreds of millions of dollars and putting it into insulation in people's homes, on long-term rental or lease programs. We could put it into solar panel siding for hospitals and schools. We could be putting it into a wide variety of efficiency and conservation investments. But that money is going to be used up making sure that seniors who spend their whole day at home with a refrigerator going they are not going to turn off, listening to a radio or watching television, just trying to get about their daily lives, are going to pay more in future than they've paid in the past for everyday living. That is not the direction this province should be going in.

I've heard from seniors and I've heard from small businesses that they are hit hard during the day because they don't have the opportunity—well, frankly, would it be a good thing for them to stay up all through the night to take advantage of the low-cost electricity and sleep during the day? That's not a practical thing for them; they can't shift that way.

The province, the Liberal government, has made a huge mistake with this, and we will continue to pay for it for decades to come.

### SHOP THE SHORE

**Ms. Laurel C. Broten:** In Etobicoke–Lakeshore we are passionate about what is good for the community and we're always looking for ways to harness past success into future opportunities. So this year, our local business improvement areas, along with the Our Lakeshore group, have brought back the highly successful Shop the Shore. Shop the Shore brings residents together to discover all the lakeshore has to offer. At its core is the desire to do better for our neighbourhood and increase revitalization of the lakeshore community. It is the dedication of involved community members that has brought this event

to life. The lakeshore BIAs are helping to ensure that this year's event is even bigger than it was in 2008.

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Shop the Shore gives us the opportunity to shop locally and discover our businesses, both new and old, in the area. By doing this, we all help to support the local economy as well as the hard work that community volunteers put into organizing a great event for residents of all ages.

Last week, I shopped at the shore in Long Branch; this weekend, I shop the shore in New Toronto. I want to extend my thanks and congratulations to all involved. As we like to say in Etobicoke–Lakeshore, "Shop local. It's good for our community, good for the environment and good for you."

### REGIONAL EQUINE AND AGRICULTURAL CENTRE OF HURON

**Mrs. Carol Mitchell:** I rise today to tell you about a wonderful success story from my riding and from my own hometown. Just over two weeks ago, the town of Clinton in the municipality of Central Huron held the grand opening ceremonies for the wonderful and long-awaited Regional Equine and Agricultural Centre of Huron. This state-of-the-art centre will function as a "motel for education," offering innovative programming as well as recreational activities to support both the equine and agricultural industries. The REACH centre combines a large indoor riding arena with a full-service educational facility that includes classrooms, boardrooms and media rooms. There's also an outdoor show section for exhibitions and other entertainment purposes.

This grand opening was especially exciting, as the government played a large part in its coming to fruition. As a government, we provided \$850,000 through the rural economic development fund and the rural infrastructure investment initiative. This government has continued to show its support for all facets of the agricultural sector in rural Ontario. This is yet another shining example of that strong commitment.

I want to wish congratulations to the community of Clinton and invite all of you to stop by and see this absolutely magnificent facility, if your travels take you to the most beautiful riding in the province of Ontario, that being Huron–Bruce.

### MID-AUTUMN MOON FESTIVAL

**Mr. Yasir Naqvi:** I am pleased to share with the Legislature that the Mid-Autumn Moon Festival which will be celebrated across Ontario on October 3. The Mid-Autumn Moon Festival, also known as the Chinese Moon Festival, is one of the most important days on the Chinese calendar and has been celebrated for over 3,000 years. This holiday marks the end of the summer harvest season and is held when the moon is at its fullest and brightest, symbolizing abundance and togetherness. It is a time for family reunions and friendship.



The Mid-Autumn Moon Festival is traditionally celebrated by gathering with friends and family to admire the full moon and, of course, by eating the many varieties of moon cakes prepared for the special occasion.

The Chinese community in my riding of Ottawa Centre is a vibrant community. Organizations such as the Federation of Ottawa Chinese Community Organizations, the Chinese Community Association of Ottawa and the Federation of Ottawa Chinese Canadians enrich our society by sharing the values, customs and heritage of the Chinese people.

I'm also pleased to announce that the government of Ontario is contributing \$125,000 towards the construction of a gateway to Ottawa's Chinatown. The gateway, a traditional arch designed by the city of Beijing, will become a cultural landmark in the city of Ottawa, and will enhance tourism and economic development in Ottawa's Chinatown. It recognizes the important contributions of Ottawa's Chinese community to the rich cultural mosaic of our city.

I would also like to thank the Somerset Street BIA, the gateway committee and the many volunteers who have made the gateway dream a reality. Together we are creating a united and prosperous Ottawa.

## PETITIONS

### TAXATION

**Mr. Norm Miller:** I have a petition to do with the McGuinty sales tax and it reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% sales tax will be applied to products and services not previously subject to provincial sales tax such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services; and

"Whereas rural and northern Ontarians will be particularly hard hit by Mr. McGuinty's new sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should remove the new sales tax from its 2009-10 budget."

I support this petition.

### AIR QUALITY

**Mr. Kevin Daniel Flynn:** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and

determined that the Clarkson, Mississauga, airshed study area was taxed for respirable particulate matter (PM<sub>2.5</sub>); and

"Whereas the average annual PM<sub>2.5</sub> concentrations measured in the Clarkson airshed were among the highest found when compared to data obtained from the ministry's air quality index monitoring stations; and

"Whereas the interim 24-hour ministry ambient air quality criterion for PM<sub>10</sub> was exceeded on several occasions; and

"Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and

"Whereas concentrations of toluene, xylene, styrene, ethyl benzene, trichloroethene and acrolein were higher than those at the 12 Environment Canada national air pollution surveillance stations in Ontario, including those located in Toronto (4), Brampton, Windsor, Hamilton, Sarnia, Kingston, Ottawa, Kitchener and London; and

"Whereas annual average 24-hour nitrogen dioxide concentrations were found to be among the highest when compared to provincial air quality index stations in the greater Toronto and Hamilton areas; and

"Whereas the MOE stated that industrial emissions may contribute as much as 25% of the PM<sub>2.5</sub> concentrations in the Clarkson airshed study area; and

"Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

"Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact" the east Oakville environment and "the Clarkson airshed study area."

I agree with the petition and will sign it and send it down with Robert.

### CHILD CARE

**Ms. Sylvia Jones:** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Minister of Community and Social Services, Madeleine Meilleur, has decided that grandparents caring for their grandchildren no longer qualify for temporary care assistance; and

"Whereas the removal of the temporary care assistance could mean that children will be forced into foster care; and

"Whereas the temporary care assistance amounted to \$231 per month, much less than a foster family would receive to look after the same children if they were forced into foster care;



"We, the undersigned, petition the Legislative Assembly of Ontario to immediately reverse the decision to remove temporary care assistance for grandparents looking after their grandchildren."

I agree with this petition and am pleased to affix my name to it and give it to page Kingsong.

### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** It is my pleasure to present another 200 names regarding a petition to bring a PET scan to Sudbury. It goes as follows:

"Whereas the Ontario government is making ... PET scanning a publicly insured health service...; and

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and send it to the Clerk with page Alyssa.

### AIR QUALITY

**Mr. Charles Sousa:** I have a petition that reads as follows.

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and determined that the Clarkson, Mississauga, airshed study area was taxed for respirable particulate matter (PM2.5); and

"Whereas the average annual PM2.5 concentrations measured in the Clarkson airshed were among the highest found when compared to data obtained from the ministry's air quality index monitoring stations; and...

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"Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and....

"Whereas the MOE stated that industrial emissions may contribute as much as 25% of the PM2.5 concentrations in the Clarkson airshed study area; and

"Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

"Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact the Clarkson airshed study area."

I affix my signature and provide it to Jacob.

### TAXATION

**Mr. Jerry J. Ouellette:** I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas Dalton McGuinty said he wouldn't raise taxes in ... 2003..., but in 2004 brought in the health tax, the biggest tax hike in Ontario's history; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new ... sales tax will increase the cost of goods and services that families and businesses buy every day, such as: coffee, newspapers and magazines, gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations, real estate transactions, veterinary care, arena ice and soccer field rentals;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on the hard-working families and businesses of Ontario."

I affix my name in support.

### SHARK FISHERY

**Mr. Mike Colle:** I have a petition here to the Legislative Assembly of Ontario.

"Whereas over 100 million sharks are being brutally killed, mutilated and butchered by the abhorrent practice of shark finning, which involves the removal of the fins of live sharks and then throwing the finless, immobile, shark back into the ocean, where it is destined for a slow and torturous death;

"Whereas sharks are a vital component of the ocean's interconnected ecosystem...; and

"Whereas the practice of shark finning can have disastrous effects on other fisheries...; and

"Whereas the United Nations General Assembly itself has noted that the decline in the shark population could have 'an impact on broader ecosystem functions';

"We, the undersigned, urge the Legislative Assembly of Ontario to support the prohibition of shark finning and to call upon the federal government to support the prohibition of this cruel act ... and these wasteful and inhumane methods used to obtain shark fins for the purpose of making things like shark fin soup."

I support this petition and I affix my name to it.

### FERTILITY TREATMENT

**Mr. Tony Ruprecht:** I have a petition here from many residents petitioning the Legislature for full funding of in vitro fertilization. It reads as follows:



"Whereas the prevalence and growing incidence of infertility in our population is a medical issue that demands the attention of our public health care system and should be placed on the agenda for funding;

"Whereas fertility treatment, including in vitro fertilization, is a proven medical solution that is unfairly limited to those with the financial means to pursue it and it should receive significant coverage through the Ontario health care system as soon as possible;

"Whereas in vitro fertilization should be fully funded when deemed medically necessary, without discrimination based on cause or gender; and

"Whereas it is long overdue that financial assistance for fertility treatment be offered to" all "Ontarians. We are residents of the province of Ontario and request that the Ontario provincial government address this important issue.

"We, the undersigned, strongly support the inclusion of financial assistance by the Ontario Ministry of Health under the Ontario health care program for all fertility treatment for Ontarians, male and female" alike.

Since I agree with this petition, I'm delighted to sign my name to it.

#### TAXATION

**Mr. John Yakabuski:** I have a petition for the Legislature here.

"Whereas residents in Renfrew–Nipissing–Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, hydro, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition. I affix my signature to it and send it down with page Carlos.

#### GOVERNMENT SERVICES

**Mr. Joe Dickson:** I have a petition to the Legislative Assembly of Ontario.

"Whereas current changes to ServiceOntario will expand and improve access to licensing, registration, health card renewal and other services, it will also close effective and service-oriented local businesses and cost

us local jobs, such as the licence office that the Donald family has owned and operated in Whitby and Durham region for over 50 years; and

"Whereas we recognize the quality of service provided by the Donald family to be rated above the 100% efficiency level, including extended hours;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Donald family be maintained as a licence bureau of the highest quality in the region of Durham."

I do present quite a large assembly of petitions and I affix my signature to it and pass it to this young page, Kaitlin.

#### TAXATION

**Mr. John Yakabuski:** I have another petition here to the Legislative Assembly of Ontario:

"Whereas residents in Renfrew–Nipissing–Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, hydro, heat, telephone, cable and Internet services for their homes, and will be applied to new home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition strongly and I pass it to the table with Robert.

#### GO TRANSIT TUNNEL

**Mr. Tony Ruprecht:** I have this petition that you may be familiar with, but since I received it last week, I have to read it to you again. It's to the Parliament of Ontario and minister of infrastructure services and the Minister of Transportation. It reads as follows:

"Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing;

"Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair Avenue–Old Weston Road bridge;

"Whereas this bridge ... will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; (2) it is not safe for pedestrians (it's about



50 metres long). It's dark and slopes on both east and west sides, creating high banks for 300 metres; and (3) it creates a divide, a no man's land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

"Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow."

I am delighted to sign this because I believe in it 100%.

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## ORDERS OF THE DAY

### PUBLIC SECTOR EXPENSES REVIEW ACT, 2009

#### LOI DE 2009 SUR L'EXAMEN DES DÉPENSES DANS LE SECTEUR PUBLIC

Resuming the debate adjourned on September 24, 2009, on the motion for second reading of Bill 201, An Act to provide for review of expenses in the public sector / Projet de loi 201, Loi prévoyant l'examen des dépenses dans le secteur public.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Norm Miller:** I'm pleased to continue the debate on Bill 201, An Act to provide for review of expenses in the public sector. The lead on this bill is the Minister of Government Services, Mr. Takhar.

I did have an opportunity on Thursday to start speaking to this bill. It's my feeling that the bill is really a PR exercise, and it's come about because of the scandals we've seen happening this summer, particularly the scandals at eHealth, with the spending, the out-of-control expenses at eHealth—the \$25,000 speech, the \$2,700 a day for consultants—which were brought to light by the PC Party and the freedom-of-information requests we put forward and were very diligent with to eventually get a lot of information.

The same can be said for the Ontario Lottery and Gaming Corp., where we started back in January doing freedom-of-information requests. The government has taken a different tack with the Ontario Lottery and Gaming commission, deciding to just drop all of the information—except for information about untendered contracts—at one time hoping that it wouldn't be a media story with quite as much legs, I would say.

But I find it ironic, as I've stated before, that the minister responsible for bringing this bill to the Legislature, Minister Takhar, is the only member who has ever been found in violation of the Members' Integrity Act. Coulter

Osborne, in his January 4, 2006, report, found the minister in violation of the Members' Integrity Act, and yet nothing happened from that. The Premier didn't do anything about it, didn't hold the minister to account. He has yet to hold any minister, really, to account in the government, and Minister Takhar is still a minister.

Now he wants, with this bill, to have the the Integrity Commissioner's office provide oversight for some 80,000 employees of 22 of the larger agencies and boards. I think that's just not possible for the Integrity Commissioner, with their staff of nine people, unless they're planning on a huge bureaucracy being built at the Integrity Commissioner's office. So I certainly have concerns about that.

Let's look at the numbers. If each public servant only put out one report each month, then nine people will have to review 960,000 documents each year. If each staff member at the Integrity Commissioner's office worked 35 hours a week—that's 1,750 hours a year, less the two weeks of vacation—every hour his staff would have to review and scrutinize a minimum of 68 expense reports. That's less than a minute per document. How could they possibly do that?

So this isn't a real plan. This is a public relations exercise for the government to change channels on all the scandals that have been coming forward. That's certainly my position on this.

If the government is really interested in accountability—the public accounts just came out, and they have to come out by today, which show how much the government actually spent last year. So how did the government—this government that's supposed to be in favour of accountability—release the public accounts? Well, it was Friday afternoon. In the 12th news release of the day, on Friday afternoon, is when the actual public accounts were released. I think just when the Clerk was about to lock the office for the day is when they were released. I'm sure that was planned so as to draw as little attention to the public accounts as possible. Because back in March, when the budget came out, the Minister of Finance stated that the deficit was going to be \$3.9 billion. He had revised that, and I'll cut him a little slack: Obviously, when they started the budget year, they weren't expecting the huge, worldwide financial meltdown. But they revised their budget so that in March, at the end of the year, they said the actual deficit was going to be \$3.9 billion. What we learned in public accounts was that the actual deficit for the year that ended March 31, 2009, was \$6.4 billion, and that was largely attributed to a drop in corporate tax revenues.

As I drove in this morning, I was listening to CBC. They had the financial analyst—

**Mr. Ted Arnott:** Michael Hlinka.

**Mr. Norm Miller:** —Michael Hlinka on, and he said that surely the Minister of Finance knew, and that it was either incompetence, if he didn't know, or dishonesty: They made a deliberate decision not to reveal the true numbers back in March of this year. That's what was on the radio this morning as I drove in: The minister would



have had to know. So the way they released the public accounts was a strategy on the part of the government.

I asked a question about this today. I had to ask the Deputy Premier, even though I would have liked to ask the Premier, but I think that is also part of the strategy. I can't talk about attendance, so I won't talk about attendance, but I did ask the question of the Deputy Premier today, as much as I might like to have asked the Premier about this release of the public accounts.

But I think the public accounts really confirm what we've known all along: Dalton McGuinty has lost all credibility when it comes to managing Ontario's economy. It really raises the question, how can you believe the McGuinty government? The government is drowning in red ink. This new figure for last year is a \$6.4-billion deficit. In March of this year they said the deficit this year was going to be \$14 billion, and now we learn it's going to be \$18.5 billion. At least that is what they're saying at this time. Who knows whether they're going to revise that again?

There was a big drop in corporate tax revenue. I think the drop in corporate tax revenue is one more sign of how terrible the business climate has become under the high-tax, high-regulation reign of the McGuinty government.

Dalton McGuinty cannot simply blame this on the global recession. Ontario was already falling before the global recession hit. We fell faster and harder than the other provinces. The unfortunate thing is that there's still no plan to dig us out of this very large hole the government is putting us in. As I say, we're going to have an all-time record deficit this year, if it doesn't grow still bigger. We asked questions about that today in question period, and the Minister of Finance conveniently didn't answer the question, "Is it going to be greater than \$18.5 billion?" That makes us worry that the deficit will grow still more.

It was pointed out that back in the Bob Rae days, the then-opposition, the Liberal Party at that point, was making a big deal about the fact that Bob Rae was spending \$1 million an hour more than he was bringing in. Every hour his revenues were \$1 million less than expenses. Now this government, with the current \$18.5-billion deficit, is spending \$2.1 million an hour—every hour, 24 hours a day, the whole year round—more than they're bringing in. That's a big hole that's being dug.

I pointed out in the past that I don't buy the government's plan to get us out of the deficit—they say they're going to restrain government program spending to 2.3% a year—when in effect their average increase in spending over the last six years has been 7.4% per year. So I just don't see that coming.

I can see I am pretty much out of time.

I definitely view this as more of a PR exercise than anything else and find it very ironic that it's being introduced by the only minister who has been sanctioned by the Integrity Commissioner.

1340

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** I've had occasion to listen to not only this latter part of Mr. Miller's contribution but also to the first part when he began it—a valuable participation in this debate.

I'm interested in hearing what government members have to say. There are a number of them here—obviously, enough to keep a quorum; not much more than that—and I'm eager to hear what they've got to say.

So I say this—and I'm going to have a chance, and Peter Tabuns and Howie Hampton are going to have a chance, to speak to that later today, because today is day four: This really isn't about expenses review. It's about government scandal and an effort to deflect attention away from the gross mismanagement and lack of ministerial responsibility, in particular, most recently on the part of the Minister of Health. What this does is create a barrier, an insulation. It's the flight from responsibility. It's the abdication of responsibility. It allows ministers to say, "Don't ask me. We've got an office that deals with that. Don't expect me to supervise or oversee those agencies that are accountable to this ministry." That's what it does.

It's just like—and I'm going to have a chance, and I'm going to repeat it—the recent amendments to the Coroners Act which relieved the Solicitor General, the Minister of Community Safety, of the responsibility and right to order a public inquest into a death. It makes life so much easier for the minister when he doesn't have that power. I'm going to have a chance to speak to this more later.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Bill Mauro:** I'm pleased to offer a couple of minutes in response to the comments from the member from Parry Sound–Muskoka on the Public Sector Expenses Review Act, 2009, brought forward by Minister Takhar on behalf of our government.

I think it's a bit of an unfortunate turn of phrase to refer to what is before us today as a public relations exercise. I'm not sure that anybody who is following the debate on television who has an interest in this particular topic will ever view the effort to advance transparency and accountability as a public relations exercise. The opposition parties may have some feelings and opinions on this, that they feel it isn't going far enough or it should go farther, and perhaps during their time to speak on this particular piece of legislation they'll make suggestions in terms of what we could do to make it even better. But to refer to something such as this as a PR exercise, I think, is a bit unfortunate.

I do want to speak just a little bit specifically to one of the comments made by the member from Parry Sound–Muskoka. He quoted a number in his remarks, in terms of the number of filings that he expected were going to occur should this legislation pass. I forget the number, I didn't write it down, but it was in the hundreds of thousands; I think I heard the member say something like 700,000 or 900,000. It was a very large number. While I'm not able to stand here today and tell you exactly how



many people will have to file these expense claims, I don't think it's going to be 700,000 or 900,000. I think it's very clearly articulated in the legislation that there are 22 agencies that are going to be affected by this legislation, should it pass, and that the only people in those agencies who are going to be expected to file their claims are senior management personnel. So I think that there's a bit of an exaggeration there. And if it does require a bit of cost on behalf of government to ensure transparency and accountability, I think we're all willing to contribute to that.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Wellington–Halton Hills.

**Mr. Ted Arnott:** I was glad to hear the member for Parry Sound–Muskoka give his presentation this afternoon, following up on the speech that he initiated last Thursday with respect to Bill 201, and I found it very interesting. Our member for Parry Sound–Muskoka is our newly minted critic for finance, and he was able to bring a number of issues related to that portfolio into the discussion.

Certainly, he informed the House today, I think for the first time, that the government's deficit of \$18.5 billion means that the government is spending about \$2 million an hour more than it's taking in. I recall sitting here in the years between 1990 and 1995, when our party in opposition reminded the House and the people of Ontario constantly that the government was spending \$1 million an hour more than it was taking in, and it was seen to be a fiscal crisis as a result. Now we see the current government spending more than \$2 million an hour, something to ponder and something to think about.

I have before me the Hansard from the Minister of Government Services, who, when he introduced this bill for second reading debate on September 17, said that this bill was intended "to provide further accountability and transparency with regard to the use of taxpayers' dollars."

Interestingly, this Minister of Government Services is, I think, still the first and only member of this Legislature who has been condemned by the Integrity Commissioner for a breach of the Members' Integrity Act. So it is highly ironic—I think if I were a government member I'd find it very embarrassing to have to stand up in this House and defend that minister and talk about Bill 201, which would have the effect, according to the government, anyway, of creating more transparency and accountability.

So I look forward to further debate on this issue. I know our party has many serious concerns about this, and we're going to have a lot of speakers talking about it this afternoon. We look forward to their participation and I look forward to the participation of all members as we continue to debate Bill 201.

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Member from Toronto–Danforth.

**Mr. Peter Tabuns:** It's a pleasure to rise and speak to this issue. There is no question that the events of the last year have shown the necessity of an opening of doors so

that there can actually be an assessment, an accounting for, an understanding of what has been spent in the name of the public.

This government showed through a variety of events, such as the so-called Collegiate spending, a year-end dishing out of large amounts of cash to organizations without any process whatsoever for assessing the validity of those applications, without giving the rest of the public an opportunity, that it had a huge amount of difficulty in actually accounting for the public dollar. The eHealth issue that has come up, the OLG—in all of those circumstances we have a government that does not seem to have learned many of the fundamentals of accounting and spending control.

When I speak about spending control, I don't talk about those terms used as code words for cutting back on social services. I talk about the simple business expedient of being able to know that the money you put out the door is actually being spent on something of value. This government doesn't seem to be able to do that.

We heard today about the construction or the proposed construction of a gas-fired power plant in the southwest GTA. Demand for power is dropping. We have a health problem in that area already. Mayor McCallion was here, residents were here, all making it very clear in their arguments that a rational assessment of options and needs had not been made in making that decision. This government needs a lot more than this act to clean up its act.

**The Acting Speaker (Ms. Cheri DiNovo):** The member for Parry Sound–Muskoka has up to two minutes to respond.

**Mr. Norm Miller:** Thank you for the comments from the member from Welland, who pointed out that government members, other than doing the two-minute hits per speech, have decided not to speak to this legislation. The member from Welland also talked about ministerial responsibility and accountability, and that's something that seems to be sorely lacking in the McGuinty government.

I really am not sure what a minister has to do to lose his job in the McGuinty government, but certainly it's my feeling that ministers need to be a lot more responsible and need to be overseeing the areas of their responsibility more than they are. The Minister of Finance has repeatedly claimed that his government has been open and transparent. Is that why the staff in the Premier's office tried to block our freedom-of-information requests, as was stated by Kelly McDougald, the fired CEO of OLG, in her statement of claim, in which it's pointed out that the government delayed giving out information, delayed the freedom-of-information applications from our party on every occasion?

1350

Let's be clear: The reason this bill is being debated in the Legislature is because our party did freedom-of-information requests and found out there was a lot of money being wasted at eHealth Ontario and at the Ontario Lottery and Gaming Corp. We've done hundreds more freedom-of-information requests on other agencies



because there are 630 agencies and boards in the province of Ontario. We've done two of them, and we found a lot of waste, and we will continue with that.

This bill, I believe, is a PR response to a scandal that the government has faced at eHealth and OLG.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Peter Kormos:** I've only got about 20 minutes to speak to this legislation. It's not a lengthy bill; that's because most of it isn't here. There's a big hole—it's a doughnut bill. There's a big hole in the middle of it because it's all about regulation. We have no idea what the government's talking about, what's going to be reviewable and what's not going to be reviewable and how it's going to be addressed.

I do want to share with my colleagues, though, a fascinating reference. The Speaker this morning referred us to McGee's Parliamentary Practice in New Zealand. Of course, all of us always struggle to abide by the rules—people like Mr. Yakabuski, who shares with me this passion for ensuring that we stay within the goalposts, that we don't go over the edge. Again, I was so grateful when he was sitting closer to me because he and I would counsel each other about saying, "Whoa, slow down. You're getting close to the edge here." I can tell you, we were very upset from time to time when we were found to have violated the standing orders or broken the rules in one way or another. It hurt. It's like a blow to the solar plexus. So we struggle, we fight with ourselves and with our passions to ensure that we remain inside the rules of the game.

So I was delighted to see this reference in McGee's Parliamentary Practice in New Zealand, because it has all to do with the business of misleading: We can't accuse a member of lying. One of the ironies about this place is that you can lie but you can't be called a liar. I suspect it happens every day, even the little white lies, little fib lies, and maybe sometimes really big ones. People can do that because, of course, everybody's presumed to be telling the truth.

But I found this remarkable observation, and I want to share it with you too, Speaker, because I know you're going to be called upon, I'm sure, in short order to rule on this type of language. McGee at page 189 says, "If an accusation that a member has deliberately misled the House was correct"—and the Speaker gave a ruling on that this morning, a very high standard, so you've got to be beyond any doubt—"the member would have committed a contempt, and a member who believes that another member has misled or tried to mislead the House should raise this as a matter of privilege." That's fair enough; we've all learned that over the course of the years. "That a member must not accuse another of lying does not mean that the correctness of the other's statements may not be questioned and it is in order"—it is in order, not out of order—"to accuse a member of having misled the country"—or, I presume, the province, or the people of Ontario, or the voters of Ontario.

So I say to my colleagues, in the interests of civility here in the provincial Legislature, let's remember that you

can never accuse an honourable member of lying, you can never accuse another honourable member of misleading the House, but we can accuse them of misleading the province. We can accuse the member of misleading the people of Ontario. We can accuse the member of misleading the voters of this great province of Ontario: McGee, Parliamentary practice in New Zealand, page one hundred and—

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Welland is most eloquent, but I would ask him to return to the order of the day, which is Bill 201.

**Mr. Peter Kormos:** I have to explain to the member, my good friend the previous speaker, that there are two ways to get to Welland from Toronto.

**Mr. John Yakabuski:** I like the long way.

**Mr. Peter Kormos:** You can take the QEW, then go down the 406, six and eight lanes of traffic and you get there fast, but it ain't very attractive. Or you can go down to Regional Road 24, go south to Highway 8, maybe, or pick up Highway 8 off of Highway 20 in Hamilton, and it takes a little longer to get to Welland. But it's a heck of a lot prettier and a heck of a lot more interesting, and you've got a chance to contribute to the economy of Niagara. So here we are. Sometimes we take the express route and sometimes we do the milk run, and this afternoon we're a bit on the milk run.

I want to also thank the parliamentary assistant for staying in the chamber during this debate. I have great respect for PAs who understand the convention that either a minister or his or her parliamentary assistant should sit through the debate. It's true. It lends some relevance to it. From time to time, newer members who become PAs don't understand that role, but this parliamentary assistant has shown an honourable commitment to his job by doing that, when I suspect maybe he wishes he were somewhere else. It's not imputing motive; I'm just suspecting.

As I said earlier, this bill is all about ministerial responsibility. It's about not just arm's length, triple arm's length, quadruple arm's length. Over the course of my modest years here—and I don't know if Mr. Sterling has spoken to this bill yet or not; he's been here a good chunk longer—we've seen this incredible flight from ministerial responsibility as compared to ministerial accountability. Accountability occurs here in the chamber during question period, when the minister is obligated—well, not obligated, because he isn't obligated, but he's obligated to at least submit to questions. We know he's not obligated to answer them but he is obligated to submit to them, unless he or she doesn't feel like showing up that day.

Ministerial responsibility is a far different matter. It effectively, as I understand it, means that the buck stops here. That the minister is responsible not just for the policy but the conduct within his ministry, and in my view those agencies that fall under the stewardship of his or her ministry. He needn't have known about the transgression, because the concept of ministerial responsibility says that he or she ought to have known about the trans-



gression. There's this amazing growing tendency—and it's remarkable: Our colleague Gilles Bisson from Timmins got quoted in a Toronto Star article last week with his heckle. Heckles don't get printed in the press very often. I had to ask people about it. What was that 1960's stalag comedy? Sergeant Schultz and so on—

**Mr. John Yakabuski:** Hogan's Heroes.

**Mr. Peter Kormos:** Hogan's Heroes. Gilles Bisson heckled to the government, "You're just like Hogan's Heroes: "I see nothing, I hear nothing"—

**Mr. John Yakabuski:** "I see nothing, Hogan"—

**Mr. Peter Kormos:** —Mr. Yakabuski says. But there's that increasing trend. "Don't ask me. I don't know. Not my job." I can tell you this much: If you started here 21, 22—ask the Solicitor General of the day, a wonderful woman who happened to go into a police station in Lucan to inquire about the well-being of a young constituent—no fiddling interference; just inquiring. She was my first minister. Back then you could ring bells and you'd be gone, and she was gone.

Ask Ken Keyes, who just happened to be another Solicitor General. He had a beer on a boat with the OPP. A beer. He wasn't drunk driving. He wasn't operating the boat. He was there with cops. But as I understand it, you need a latrine on the boat or something to make it more akin to a domicile for you to be allowed to drink on the boat. I can't imagine fellows out on Lake Erie, from time to time, not having a beer when the hot sun's beating down on them and the perch aren't running.

1400

It's called ministerial responsibility. Bob Runciman, when there was an inadvertent reference to a young offender—who, in fact, was being celebrated because the kid was being saluted at a graduation ceremony, right? It wasn't exposing a young offender who didn't want to be talked about; this kid was happy. It had been published; there was an agenda for the graduation ceremony with all the kids' names in it, so it's not as if it was some ministerial secret. Ministerial responsibility: Bob Runciman says, "I have to resign." That's ministerial responsibility.

So what do we have here? High-priced, multi-thousand-dollar-a-day consultants expensing a tea at Tim Hortons for \$1.65; \$3.99 for Choco Bites—I have no idea what the hell they are; a \$30 car wash; a speech that cost \$25,000. What is the matter with these people? You see, this isn't about legislation called the Public Sector Expenses Review Act. It's, one, about common sense; and two, it's about abandoning the sense of entitlement.

Also, three, let's understand: There's something very corrupt about all this. We had occasion the other day to ask the minister why it is that everything he touched turns to scandal: OLG, eHealth, London Health Sciences. My poor colleague Ms. Macleod from Nepean—Carleton in question period today was—I knew what she was trying to do. The Speaker made a ruling and God bless, and we're going to discuss that on a point of order tomorrow. She said, "Hmm, very interesting here: a \$20,000 donation to the Ontario Liberal Party, a \$1.3-million contract."

"Hmph," I said, and then I made the observation, "It beats the heck out of mutual funds, doesn't it?"

**Mr. John Yakabuski:** It's a good rate of return.

**Mr. Peter Kormos:** "It's a good rate of return." You bet your boots it is.

Here is a member, Ms. Macleod, for whom I have regard, putting the facts out there. If they're wrong, any one of these people can say they're wrong, because they're entitled to say, "You're full of hot air. You don't know what you're talking about."

I asked the minister the other day, "Hmm. You've had some experience with games of chance. What do you think the odds are that there would be this much scandal under your oversight? Is it just coincidence?" I don't know about you, Speaker, but I buy the occasional 6/49 ticket, and I'm afraid I'm going to be a very, very old man if indeed I live long enough to win one of the \$10 prizes.

You win the lottery when you're one of the government's politically connected consultants. That's when you win the lottery. I don't know if anybody won last Saturday night, but I'll tell you, people have been winning that lottery over at eHealth on a daily basis: \$25,000 for a speech. How long was that speech? I can understand if it was a 25-hour speech; that would be \$1,000 an hour, and even that's pretty high-priced. But most speeches—as you know, the rule of thumb for a stump speech is 20 minutes. Leave them wanting more. That's what the various literature and scientific analyses tell us. I haven't seen the speech, but I suspect it was maybe 30 minutes long. But \$25,000? That's not a fee, that's a payoff. It's grease.

Now, I can understand the need for gyms in view of some of the food expenditures of these people. They're going to want to work some of that poundage off, because you've got some pretty high-flying players in this operation. I understand why you're going to need a gym membership, because one vice-president at OLG spent \$3,713.77 on one meal.

**Mr. Norm Miller:** He was hungry.

**Mr. Peter Kormos:** Miller says he was hungry. He sure as heck was: \$3,713.77. And the minister says, "Don't ask me. It's not my job. We've called Price-waterhouseCoopers." We don't even know whether they actually called them, but they rode that one for a good three weeks—more than that—until the Parliament rose and they were freed of question period.

This bill is about ministers saying, "I'll sit in my seat. I'll get in the back of the limo. I'll collect my paycheque, but don't expect me to do any job." This bill reduces ministers to ribbon-cutters and photo ops. It does, because it means that ministers don't—you see, ministers, good ministers, start early in the day, and good ministers don't make friends; they make enemies amongst their staff, which is often the demise of many a good minister, because they ask the right questions. You've got to know which questions to ask because, you see, the "Yes, Minister" syndrome means you can and will be spun. But the minister who's told, "Don't worry, Minister"—this is



by a DM or an ADM—"You just let us handle things and everything's going to be all right," is a dullard to begin with; incompetent, to continue; lazy; slothful, and isn't doing his or her job.

The minister was asleep at the switch, because if he didn't know that this kind of stuff was going on, he ought to have known, and he didn't take the time or have the inclination or the intellect to inquire. The Minister of Health is no babe in the woods—hardly a babe. His mother was a very prominent member of this Legislature and a minister in her own right. I don't know—"Let's call in PricewaterhouseCoopers," which they didn't do, even though they insisted they did because they tried to take the heat off themselves. "Let's call in the Provincial Auditor."

I regret that we are fleeing from ministerial responsibility. I regret that the cabinet is but a symbolic role. I regret that governing doesn't occur at the cabinet table, but it occurs in the back rooms of the Premier's office and then, from time to time, in the huge mansions and suburbs north of Toronto at \$1,000-a-plate dinners.

*Interjection.*

**Mr. Peter Kormos:** Ten thousand—what the heck? Go big or go home. If you're going to rent a government for a day or two, you might as well pay for it, because that's what these dinners are all about. That's not the kind of—you see, it's not only not participatory democracy—far from it; that's a different discussion. But it's not even representative democracy, is it? I'm increasingly convinced that the only—sadly, and this is no disrespect, but the most important role being played in this Parliament now is by the opposition parties.

We saw a piece of legislation come down—it's not finished yet for second reading—on school board trustees, basically telling them, "Your job is to sit there, attend meetings, follow rules of conduct and not criticize and not object." Don't pull a Josh Matlow, never mind a Christine Nunziata—she's just a flake. She just blew her brains out on lingerie at the taxpayers' expense. But Josh Matlow had the courage of his own convictions to stand up and criticize the school board for mismanaging a health issue in a school here in Toronto, and then got censured. The efforts they did weren't successful because they didn't have time, but the bill that's being presented to us will allow the board to censure him, to silence him, to exclude him from meetings. Good grief.

I say that if the minister is not going to perform his role of accepting responsibility for his ministry and its agencies, then the minister should not accept his role in the back seat of a limousine. He should hand back the key to the ministerial bathroom.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Mario Sergio:** I always enjoy the delivery of comments by the member from Welland. I don't think there is any other member in the House who delivers comments with the flair and tact that he does, and it's quite enjoyable, but there is a lot of substance.

I have to say that there is a lot of truth in what he is saying. But we tend to forget that above everything else,

ministers, subs, members of this House and staff in general are all human as well, and things do happen and have happened in every government. But having said that, it should not happen, and when it does, no matter whom, no matter at what level they are, I think there should be serious repercussions. Only then will we see, and will they learn, respect for taxpayers.

I totally disagree; I do not concur that any particular bureaucrat, it doesn't matter what position—usually the higher they go, the more money they make and the more responsibility they have, which should be part of their responsibility toward other employees. That they will charge for a coffee or a Band-Aid or whatever when they are making hundreds of thousands of dollars a year, I don't agree.

Finally, today we are at this level of government, and we have a Premier who has said, "Hey, this is not going well with us, and we are going to call on everyone." We have 22 agencies, with hundreds of thousands of employees, and of course we would rely on the conscience of those people. If they don't, we have a Premier who says, "You will have to abide by the Integrity Commissioner's report."

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Carleton-Mississippi Mills.

**Mr. Norman W. Sterling:** I always enjoy the member from Welland's remarks in this Legislature, but today I think he hit upon a concern I have had with regard to this issue. The issue is that it indeed is the responsibility of the ministry, but it's about the responsibility of the government as well in terms of how they're running the province.

We saw in the early stages of this government where they brought in legislation regarding government advertising. Essentially, they set up a legislative officer as the screener for their political ads. They would spend government money, and they would go to the Auditor General and ask him whether or not an ad had such a great amount of political bent to it that it should be excluded. Before that, the government had to make a decision when they were putting an ad out as to whether or not it was partisan, or whether or not it was information about the government of Ontario's programs, which is fine. Now they have the screen of the Auditor General.

What I object to in all of this pre-screening is that we never see where the government stepped over the line. What ads has the Auditor General turned down? How often have they come close to the line with regard to government advertising, and the Auditor General takes on the responsibility of saying, "Hey, you're being partisan here and you can't do it"?

When you have the pre-screening process by a legislative officer, you put no responsibility on the head of the organization—the government—to not only be clean but to appear to be clean and act in an honourable way and have the integrity they should have.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Toronto-Danforth.



**Mr. Peter Tabuns:** At one point in the presentation made by my colleague from Welland, you wanted him to focus on the bill, and he talked to you about the various routes one could take to get from Welland to Toronto. It is clear in his speech, and it was certainly the tourist route that he took us on, for a long detour through Grimsby and a variety of wineries. We sampled, we judged, and then we moved on. It's the nature of the way he speaks, and I have to say, as someone who spends part of his life in these afternoon sessions, I'm very appreciative for the kind of speech that he delivers.

**Interjection:** Sometimes.

**Mr. Peter Tabuns:** Sometimes. Fair comment.

That being said, we are touching on very substantial issues here with this bill. The reality is that this bill has only come before us because we have had explosions. Things blow up in the background; we see the debris scatter over the landscape. The government realizes that it has a huge problem, and once its hand has been pried out of the till, once the cookie jar has been broken badly, then there is a realization that, hey, maybe there should be some scrutiny here so that in fact the interest of the public, the people who work extraordinarily hard to put dollars into this government—maybe their interests have to be looked after and the expenses made in their name have to be scrutinized.

This bill may have some use, but in the presentation by the member from Welland, it's pretty clear that there is a bigger problem than this bill will solve. I'll take a small point, and I'll address it later when it's my turn to speak: The office of the Integrity Commissioner has got something like nine staff. It is being given huge new areas to focus on, to deal with. One actually has to ask, will it be able to carry that burden? That is an open question.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Brant.

**Mr. Dave Levac:** The opposition is doing what it's supposed to do: It's supposed to oppose and, in some cases, propose. So what we're hearing in the last little while, particularly from the member from Welland, is what's wrong, and Bill 201 tries to tell us what can be right and what we're moving towards.

No one, including the opposition members or the members on this side, has a monopoly on how the evolution of legislation takes place. There have been pieces of legislation that have been produced and performed by all three parties in this province that have improved circumstances that have been seen as holes that plugs need to be put in. The parliamentary assistant, the member from Thunder Bay—Atikokan, will be addressing some of those issues as to what exactly Bill 201 is trying to do.

What I find interesting is that I haven't heard anyone say they are going to stand up and be against this bill 100%. Are they going to vote against the bill? Because if they're going to vote against the bill, they're saying to us that at this time this particular piece of legislation is not good enough. It's not going to do the job. It's not going

to do anything to make the province any better or it's not going to bring any more clarity. Have there been incidents in the past that have taken place that have offered us reasons and opportunities for us to introduce more legislation to make improvements for things going on? Absolutely, by all three governments, by all three parties. What I'm suggesting, as the member from Welland has pointed out, is that there are reasons that we should be evaluating what it is we are doing with the taxpayers' dollars. I have no problem with that. As a matter of fact, I think it's laudable that we do point those things out.

But what has happened is turned into an opposition opportunity. What we're looking at is, "Let's mark them up and see how much we can scar them and make it stick for the public," and I want to talk about the value Bill 201 is bringing to the place. Is it making us more responsible with the taxpayers' dollars? If we pass this legislation, even as it is, without amendment, we are going to see some improvements made in how money is being spent. That's what I'm trying to get at, and I wonder if the member for Welland will be voting for or against the legislation.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Welland has up to two minutes to respond.

**Mr. Peter Kormos:** I should mention to the member from Brantford that I met one of his constituents down at the Wainfleet fair, which is growing, quite frankly. It's one of the rare fall agricultural fairs that is growing—no carnival, no rides, a real old-fashioned winter fair. I met one of his constituents and I spoke well to that constituent about Mr. Levac. So I just ask Mr. Levac—it's a good thing I met him last week.

Look, I'm concerned about the culture, I'm concerned about the parliamentary culture, the ministerial culture, the responsibility and accountability culture. I'm concerned about our drift away from it. I'm concerned about centralization of power in the Premier's office, in the back rooms. I'm concerned about creating all these various watchdogs that are doing the job that ministers and their staff should be doing.

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I read the Ombudsman's report every year, and I'm a big fan of this Ombudsman. I've been a big fan of all the Ombudsmen who have served since I got elected, from Roberta Jamieson on. André Marin, who I know is very popular with the Liberal cabinet ministers—I'm amazed when he reports on things. I'm going, "What the heck is going on? This is so obvious." It isn't subtle stuff. It isn't hidden-away stuff. It's stuff—you give your head a shake. And it takes André Marin, a tough guy in his own right, with a huge team of very good staff, to uncover this and lean on the government. We shouldn't need that. We shouldn't have to have this legislation. This is silly. If we had responsibility and accountability, and if we abandoned the sense of entitlement, we could be debating something far more relevant to the welfare of workers in this province right now.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?



**Mr. John Yakabuski:** It's always a pleasure to sometimes precede and many times to follow the member from—

**Hon. Monique M. Smith:** On a point of order, Madam Chair—

**The Acting Speaker (Ms. Cheri DiNovo):** Sorry. A point of order, government House leader.

**Hon. Monique M. Smith:** Sorry, Madam Chair. I did rise in order to make a point of order prior to my colleague taking his turn in the rotation.

**The Acting Speaker (Ms. Cheri DiNovo):** Would you like to make that point of order, then?

**Hon. Monique M. Smith:** I just note that we will be meeting the 6.5 hours of debate in the not-too-distant future, and it is our intention and our desire that we continue the debate.

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Member from Thunder Bay—Atikokan.

**Mr. Bill Mauro:** It's my pleasure to have some time this afternoon to speak on the Public Sector Expenses Review Act. Before I do, though, I will begin by, as others have already commented, thanking the member from Welland for his comments. I'm always happy when I commit the time to stay in the Legislature when he's speaking, because you always know you're going to learn something. Today I learned that there are, as mentioned by the previous member, two ways to get to Welland. As a member from Thunder Bay, the QEW one I can figure out, but the other one that he was referencing, I'm not sure where it was.

He also spoke for some time—I guess you could say it was his theme over at least five or 10 minutes of his speech—about ministerial responsibility. I suppose it wouldn't take too many of us too long to remember some examples of, perhaps, a lack of the same, I might say, when it came to the five-year period when the NDP governed. I could tell the member from Welland—he would remember better than me; he has a much longer corporate memory than I—about a specific example where one of the ministers in his government of the day in fact stumbled, I should say, a little bit, and at some point ended up needing to take a lie detector test to prove that the stumble wasn't what it was and therefore avoid responsibility for what should have been clearly something responsible to the minister. The names aren't necessary. I only raise that in the context that the member from Welland seemed to speak at some length about that, as have the members of the official opposition. There are obviously all kinds of examples, on a go-forward basis or historically, where anybody in this House with any corporate memory at all could stand up and make reference to those sorts of things.

I also want to make one comment before I get directly to the legislation. The members of the official opposition have spoken on more than one occasion in their remarks on this particular bill, Bill 201, about the deficit being in the order of magnitude of \$18 billion to \$20 billion. But I think it's important for us to mention to those who are listening that, of course, \$18 billion to \$20 billion is not a

structural deficit. It is a deficit, but certainly not structural. The number that is embedded and that we have to deal with and wrestle to the ground is obviously much smaller than the \$18 billion to \$20 billion where we think we're going to land.

It's important to remind people that a lot of that money is infrastructure stimulus funding that we brought forward. I think that there's probably not a member in this place who hasn't seen the benefits in their own particular ridings of the infrastructure stimulus funding that we brought to the plate. I don't think there's anybody who would want to see that rolled back. In fact, some would say that the reason the recession we have found ourselves in has not deepened, and the reason this recession has not become a full-blown depression, is because of the different reactions that have been taken by governments all around the globe, not just here in Ontario, but other provincial governments and other national governments all over the globe. They would make a very strong argument that the reason it has been a recession only and not a depression is that governments have played a significant role, and this infrastructure stimulus money that we've brought to the table plays a significant part in that. So when they use the \$18-billion number, I think it's important that we remind people that that is not entirely a structural deficit.

I do want to offer the folks who are listening some specific comments on the detail of this particular piece of legislation, the Public Sector Expenses Review Act, 2009. I apologize that I was not here last week for some of the debate that occurred. Some of this may be on the record already, but as a government member, I think it's important that I ensure as best I can that those listening and interested in this legislation have a bit of a sense of the detail in the minutia that is, at the end of the day, what really is important. As has been stated here, much of what is going to come out of this legislation will flow from the regulations, but the legislation has some broader detail in it that I think it's important we share with people early on.

On September 16 this year, our government introduced this piece of legislation. The Public Sector Expenses Review Act, 2009, would give the Integrity Commissioner the legal authority to review senior management expense claims made within Ontario's 22 largest agencies and take appropriate action should irregularities be discovered. I just want to hang on that point for a second and remind people who are interested in this issue that the Integrity Commissioner is an independent officer of the Legislative Assembly of Ontario. We have, I think, eight or nine independent officers, the Integrity Commissioner being one of them, others being the freedom of information commissioner, the auditor, the Environmental Commissioner, the Integrity Commissioner and the Ombudsman, and two or three others that I'm not remembering off the top of my head.

But it's important for people to know that this legal authority that this legislation will give to the Integrity Commissioner will be vested with an independent officer



of the corporation. This is not an officer who reports back to the government. This is an officer who reports back to the Legislative Assembly of Ontario. So I make that point. I think it's an important distinction that we need to make for the people of Ontario.

The proposed legislation would require the Integrity Commissioner to prepare and make public an annual report on the review of expense claims. Under the proposed legislation, the government has the power to require any government agency, board or commission to abide by these rules by regulation. The proposed legislation requires employees and government agencies to abide by the same level of accountability and oversight that cabinet ministers and political staff must follow under the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act.

An expenses officer for each agency would be named in the regulations under the act and be responsible for submitting the expense claims of designated employees and appointees of the public entity to the Integrity Commissioner for review. The proposed legislation applies to expenses incurred on or after September 1, 2009. The government consulted with the Integrity Commissioner as the legislation was drafted and will continue to do so as the regulations are developed.

On September 14, 2009, Premier McGuinty announced four additional measures the government is taking to improve accountability. These efforts were communicated to all OPS and all agency staff.

There is a new two-page summary of guidelines for travel, meals and hospitality expenses which apply to all OPS employees and employees at Ontario's agencies, boards and commissions. This was provided to staff.

All OPS employees and employees at 22 of the largest government agencies will receive online mandatory training on expense claims. While that might sound a bit underwhelming, I think it's important. We don't want people to still be in a position after this legislation, should it be passed, comes into effect where they will be able to say, "We didn't understand and we didn't know what was expected of us."

Expenses for OPS senior management, cabinet ministers, political staff and senior executives at Ontario's 22 largest agencies will be posted online. How's that for transparency? This will start no later than April 1, 2010.

There will be more random audits of expenses to ensure rules are being followed. During audits of Ontario's agencies, boards and commissions, external auditors will be required to look at expense practices to ensure rules are followed and controls are in place.

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On September 1 of this year, the Premier announced that 22 of the largest agencies, boards and commissions will be required to have their claims reviewed by the commissioner. This requirement is similar to the one already mentioned under the cabinet ministers' and opposition leaders' review act. Before this announcement, only government ministries and agencies classified under the agency establishment and accountability directive were

mandated to follow those rules in the travel, meal and hospitality expenses directive. The Premier broadened the application of these rules to include Ontario's largest agencies, boards and commissions. Starting this fall, senior executives of these entities will be required to have their expenses reviewed by the Integrity Commissioner.

I want to list for the public the 22 largest agencies that will be affected by this legislation. These new rules will apply to the following: the Ontario Lottery and Gaming Corp.; Ontario Power Generation; Hydro One; the Independent Electricity System Operator; Ontario Power Authority; WSIB; LCBO; eHealth; Cancer Care Ontario; Ontario Infrastructure Projects Corp., or Infrastructure Ontario; the Ontario Energy Board; the Alcohol and Gaming Commission; the Ontario Financing Authority; Ontario Realty Corp.; the Ontario public service pension board; Metrolinx; the Ontario Human Rights Commission; the Metropolitan Toronto Convention Centre Corp.; the Ontario Educational Communications Authority, or TVO; and here is my first stab at French in six years, since I've been in the Legislature—

**Hon. Monique M. Smith:** Okay, we're ready.

**Mr. Bill Mauro:** Are you ready for this? I'm going to do the best I can. Maybe I should have my colleague Mr. McNeely here read it for me: l'Office des télécommunications éducatives de langue française de l'Ontario, or TFO. Not bad, eh? I kind of stumbled through it. My grade 9 French teacher is laughing at me now—the Ontario Racing Commission; and the last of the 22 is the Ontario Clean Water Agency.

The Premier also directed all government agencies, boards and commissions to strictly adhere to the rules in the OPS travel, meal and hospitality expenses directive. This includes entities that previously did not have to comply with these rules.

We also announced that there will be external government-wide review of accountability at all agencies, boards and commissions to ensure that the interests of taxpayers are protected.

On August 31, 2009, the government made public all expense claims for the OLG executive and senior staff for 2007-08. On the same day, the CEO of the OLG was dismissed and the board of directors resigned after expenses were deemed unacceptable by the government.

In July 2009, an addendum to the travel, meal and hospitality expenses directive was approved that prohibited payment of meal, hospitality and incidental expenses to consultants to ministries, classified agencies and non-classified entities to which Ontario directly or indirectly appoints the chair of the board of directors and/or the chief executive officer. Further amendments to strengthen the travel directive are expected in the fall. These will include clarifying when alcoholic drinks may be reimbursable, i.e. for pre-approved hospitality events, and direction on claiming expenses for multiple individuals.

I know that was a bit dry, but I think it's important that that be in the Hansard, on the public record, so we can ensure that people who are interested in the detail of



this legislation will have an ability to have heard it or read it online, should they wish to do so.

Having listened to the bit of the debate today that I've had the opportunity to listen to—as I mentioned, not having been here last week towards the end of the week—I think that some who are listening and watching on TV might be left with the impression that this is the first time that the government has tried to move forward with transparency and accountability measures on behalf of the taxpaying public in the province of Ontario. I think that, by way of example, it's important that I—and I'm sure other members of the government may have already done so, or will as we go forward—give further examples of what we've done heretofore to show quite clearly, I think, that this is not the only or the first time that, as a government, we have made an effort and in fact have brought in legislation that has enhanced significantly, I would say, accountability and transparency for the taxpaying public in Ontario.

I'll start with the enhanced roles and responsibility of the Provincial Auditor; it's one I remember very clearly. I know there are many members around here who have a longer corporate memory than me, although Mr. Yaka-buski is not one of them; we came in at the same time. There are many here who can go back a lot farther than I, but I do remember very clearly the election of 2003, when I was running in the riding of Thunder Bay—Atikokan for the very first time in a provincial election. We were told very clearly as we were campaigning that the budget—the books of the province of Ontario—was in fact balanced. In fact, right up until about two days before election day in 2003, that was the position that was maintained by the government of the day. In fact, we found out not too long after being elected in 2003 that that was not the case, that there was a \$5.6-billion deficit left to the people of the province of Ontario and left to us as a new government in the province of Ontario. We found that out. It's not just us saying it. I remember a very large bold headline—I know there's a couple across the way that are a bit upset—a very large bold headline in the Toronto Star very shortly after the election in 2003, very clearly indicating that, in fact, that was the case. So what did we do in response?

**The Acting Speaker (Ms. Cheri DiNovo):** I would just caution the member, as I did before with the member from Welland, to stick to the bill, Bill 201. Thank you.

**Mr. Bill Mauro:** Thank you, Speaker. I'm getting to the point exactly right now. What did we do in response to that? The bill is about transparency and accountability, and in response to that particular situation, the Provincial Auditor in the province of Ontario now, before every provincial election, will give a state of the finances of the province of Ontario so that everybody will very clearly know, going into the election in 2011, as they did in 2007, what the state of the finances in the province is. That's a very clear reaction to what occurred in 2003. I think on behalf of our government it clearly articulates that we have for some time been trying to move the yardsticks forward when it comes to transparency and

accountability. This particular piece of legislation is not the first time that we've done that. It's not the only time that we've done that. I think it's on topic.

One of the other things I discovered as a newly elected member in 2003 was a great deal of anger exhibited by many health-care-sector providers who felt that their particular sectors were continually being underfunded in terms of their ability to provide services as a result of hospitals in the province of Ontario—not all hospitals, and I don't want to paint them all with the same brush—traditionally and often coming back to the government of the day, whoever that government may have been, after having overspent their budgets, and saying, “We need more money.” Almost always the government of the day, and this is not a partisan comment, would flow funds to the hospital sector so that they could meet those increased demands that they said they needed the funds for.

One of the first things that we did in response: value-for-money audits in the hospital sector. When I found out as a new member that before that point hospitals were not having their books audited, it was quite staggering, I have to tell you. When we first got elected there were \$30 billion or \$32 billion being spent in the province of Ontario on health care. It's now \$40 billion or \$42 billion. And in 2003, when it was \$30 billion to \$32 billion, about one-third of that, if memory serves me correctly, was being spent in the hospital sector—about \$11 billion approximately. I might have the numbers wrong but it's a significant number, and that money was not being audited. Many health-care-sector people thought it was to their detriment. They felt that they were not able to get the financial resources that they needed to take care of their particular sector because the hospital sector would always come—they would overspend, and they would get to the point that the hospital sector would have their demands met. So we brought in value-for-money audits for the first time in the history of Ontario.

Connected to that, for more transparency to try and tie back into that particular policy piece, we now have a situation where hospitals are required to sign accountability agreements with the LHINs. Tied to the value-for-money audit process that will provide transparency and accountability, we require the hospitals to enter into a accountability agreements now with the LHINs. Before the evolution of the LHINs or the establishment of the LHINs, it was directly to the ministries and the governments. It all makes perfect sense. It's all a very good thing to do.

When we were also first elected, I remember very clearly—and I know that the official opposition has a more difficult time with this particular one—that Hydro One, Ontario Power Generation and I think the entire MUSH sector were not being audited. There were no accountability provisions applied to those particular sectors. It's a staggering, staggering thing. I can remember some of the debate, where I think the official opposition—and I'm stretching my memory here a little bit—voted against us extending the ability of the auditor to go into those particular sectors and perform audits at



OPG, Hydro One and the MUSH sector. I think they also spoke very publicly against the fact that we were extending the freedom-of-information requests available to the public to Hydro One, to Ontario Power Generation, to municipal hydroelectric commissions and to universities.

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So while many in this assembly will have an opportunity to speak to this particular bill and try and articulate to the viewing public that this is a bit of a Johnny-come-lately approach by our government when it comes to transparency and accountability, I would say, first of all, that's completely incorrect. I've tried to show some of the other examples that we brought forward so far. But also, and more to the point, members of at least one particular party have spoken very publicly and are on record as having taken a position of restricting the public's access to major agencies that are acting or supposed to be acting on behalf of the public interest. There is, I would suggest, quite a contradiction in that approach.

I listened to the member—and I'm going to scramble here and try and find the proper riding—of Carleton-Mississippi Mills and his comments about us having to flow the advertising through to the auditor. He tried, again, to convey to the public as if this was somehow a bad idea: "How close did they come to the line where they almost got something approved?" The fact is, we drew a line and we gave the authority and the power to the Provincial Auditor to review advertising in a very public, transparent way, so that as a government we couldn't be seen to be taking advantage of taxpayers' money in a partisan nature, and he took his two minutes to try and somehow express that that was another failed attempt on behalf of our government to somehow skirt the issues or mislead the public, when in fact exactly the opposite was the case.

The Public Sector Expenses Review Act: Pretty straightforward legislation. We're hoping and will be watching, as will most members of the province of Ontario who are interested in this topic, for the support of both of the opposition parties.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Ms. Sylvia Jones:** The member from Thunder Bay-Atikokan has raised a number of questions that I would like to raise in my two minutes. He spent a good chunk of his time early on talking about the benefits of the Integrity Commissioner and how that process of vetting the expenses going through the integrity commission will be a good thing.

I don't think there's any doubt that everyone in the House understands the good work that the Integrity Commissioner has done. The question that I am left with—and if the parliamentary assistant could enlighten us—is, how do we truly intend to have nine staff, which is the current staff component of the Integrity Commissioner, vet 22 agencies as well as the five job responsibilities that that office currently has? Is there an expansion of the office in the works that we have not been made privy to? There are 22 agencies that will now

be vetted, their expenses will now be vetted through the integrity commission if Bill 201 is passed, but in fact there are over 600 agencies, boards and commissions operating within the province of Ontario. How were the 22 chosen? Why were the 22 chosen? Was it because there were pre-existing issues and problems with them? Was it because the ministers who are heading those 22 agencies are not up to the task of monitoring and ensuring that expenses are being properly vetted?

If those questions could be answered by the parliamentary assistant, I think that that would go a great way in terms of alleviating some of the concerns that we have with the existing legislation, as it is written in Bill 201. Nine staff in the integrity office are not going to physically be able to cover all of the staff for 22 new agencies, boards and commissions.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Paul Miller:** I'd like to reiterate some of the comments made the other day about this situation. When you talk to the people in your community and people come in to your office and—for instance, a single mom who's being forced out of her apartment and has two children standing in front of the counter looking for help, and all the agencies are on overload and they can't help that individual. Then you see a consultant getting \$3,000 a day, charging \$1.87 for a Tim Hortons, \$4.55 for a latte—I don't know where the coffee's from but it must be special—and \$30 for his car wash, and here's this woman standing at my counter and she can't even feed her kids.

The average Ontarian is sick and tired of cover-ups, of lack of control over spending. When I was campaigning, at every second door people would say to me, "Oh, why should I vote? Nothing ever changes. It's always the same—the same bunch. They can't answer for their spending," and it just went on and on. I understand why Ontarians are fed up. I understand why Ontarians are asking for controls and accountability from their government. Until this government and any other government starts getting these matters under control, this profession is not very high on the respect level.

I think we can start here now to change the attitude slowly. It's going to take many years to change the attitude toward governments and agencies that are abusing the system. It's been going on for years, and I think until we get a handle on it, the level of respect for this profession will remain where it is.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Bob Delaney:** I'm struck with a sense of déjà vu when I was first elected in October 2003. The government of the day had said just before the election that their budget was balanced, and then less than three weeks later, and I note just before our government was actually sworn in, we found that in fact Ontario was facing a \$5.6-billion structural deficit, which later came in as a \$5.5-billion actual deficit. I remember the headline in the Toronto Star that said, "Outgoing Tories outright..." and I can't use that word here.



So we cleaned that up, and now Ontario's books are audited just like those of any private corporation. That's why the Auditor General and the Ombudsman can now get inside crown corporations like Hydro One, OPG and many others. That's why nobody has to guess what the real numbers are in Ontario's budget anymore, because you get the real numbers. That's why the Auditor General now has to review all government advertising and make sure that ads such as the one that we see running at the federal level, where all that's missing is the tag line that says, "Vote for the governing party," never again appear in Ontario.

The opposition benefits from access to information that in previous years nobody ever had. That's some action our government took to bring that to light, and as a good opposition should, they brought to light problems to fix. So as a good government should, and we will, we'll fix them; just as surely as Ontario's mainstream ministries and crown corporations now benefit from having cleaned up their acts.

This is our money. We want to see that it's well spent and we want value for it. This legislation is going to enable Ontario to get value for its money and to show accountability. Thank you.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Toby Barrett:** I'm somewhat disappointed, I'm somewhat disillusioned, that we are debating legislation 201, Public Sector Expenses Review Act, which has forced this government's hand to go to the Integrity Commissioner to essentially do the job that the Premier and various cabinet ministries should be doing on their own with respect to something like an expense account. I'm really concerned that members in this House essentially are sully their own reputations by defending the transgressions of some of their colleagues, and I'm thinking of at least one cabinet minister who should have resigned over this issue. I feel that actually every member in this House is brought down a notch with respect to public esteem not only of us as elected representatives but the public esteem, that we should be fighting for in this Legislative Assembly. We really have to come up with something better than this to rebuild the public's faith in this institution and in this government and its various institutions, and certainly try to rebuild faith in cabinet responsibility and specifically in agencies like the Ontario Lottery and Gaming Corp. and the eHealth organization.

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True, this is an issue of integrity. I disagree with sloughing this off on the Office of the Integrity Commissioner and the handful of staff over there. This is essentially an issue of ethical behaviour, and in my view, this is an issue of honour and something you would expect a different course of action on under our system of responsible government.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Thunder Bay–Atikokan has up to two minutes to respond.

**Mr. Bill Mauro:** I thank the speakers from Haldimand–Norfolk, Hamilton East–Stoney Creek, Mississauga–Streetsville and Dufferin–Caledon.

The member from Dufferin–Caledon spoke about the 22 agencies that have been selected and, like one of the members of her party a little earlier in the day, talked about the potential number of filings and the cost that could accrue to the taxpayers of Ontario. As I said in my remarks earlier, I don't believe the number that was quoted by the member from Parry Sound–Muskoka is going to be anywhere near the actual number, although I don't pretend to know what it will be. But as we articulated, the senior management team of 22 agencies are the people who will be responsible to file, and if we have to hire another staff person or two to ensure that these expense claims are being filed properly, I don't think there are going to be too many people in Ontario who are going to have a problem with that—though I don't know what that number will be.

The good news so far, I think we should all say as members of the government side, is that I haven't heard a single member of either the official opposition or the third party stand in their place and suggest that they're going to vote against this legislation. I think we, on our side, will take that as some implied support for the legislation. Given the other examples I raised in my earlier 20 minutes, we are in fact continuing to move the yardsticks forward when it comes to transparency and accountability. Perhaps we'll find that out in short order, when the vote is called.

I think the member from Mississauga–Streetsville raised a good point, and I tried to give examples of that in my first 20 minutes; that is, that over the course of the last six years, our government has brought in legislation that has significantly enhanced transparency, accountability and fiscal responsibility for the taxpayers of Ontario.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate? The member for Renfrew–Nipissing–Pembroke.

**Mr. John Yakabuski:** It's for real this time, Speaker? Thank you very much.

It's a pleasure to join this debate, and as I was beginning to say earlier, it's always great to follow my friend from Welland. It's interesting: Most people would presume or conclude that we sit on different edges of the political spectrum, but it is kind of uncanny how sometimes—and many times in this House—we could be reading each other's notes from the point of view of how we see some of the problems with what this government is doing. I guess it speaks to the fact that when something is not being done right and a government is not responding properly, even people perhaps as different in some ways as my friend from Welland and I can find the likeness in their views on that particular issue.

I'm not going to drive all the back roads of Renfrew county today, down Opeongo Road or Hopefield Road or any of that. Speaker, I trust you have probably never been through Renfrew county. If you have, I'm sure you have enjoyed it tremendously, and if you haven't, we'd



love to have you up there, because you would certainly enjoy it. Quite frankly, I would say it's a nicer ride than the ride from Toronto to Welland, but then I would not pretend to be totally objective on that subject at all.

What the member from Welland was talking about primarily was—again, I can't speak to all of his McGees or McKees; he would stand as an authority on legislative rules, procedures and precedence. That's one of the things he's a tremendous source of, and I would not pretend to be that at all. He is clearly of that ilk and I don't question any of his rulings in those facts. Many times I actually turn to him for some advice on some of the constitutional history of things that have gone on here and in other legislative bodies elsewhere.

The crux of part of his speech was ministerial responsibility. That's what we should be talking about here, not "An Act to provide for review of expenses in the public sector." We should be talking about the responsibility of a minister to his or her ministry. What is happening here is a big game of deflecto. We'll have a chance to elaborate on that a little later based on the events of the summer etc., but this is a big game of deflecto to try to take some of the heat off what is clearly being demonstrated out there in the public forum for the tremendous and terrible disregard for ministerial responsibility on the part of the McGuinty government.

We're going to go through the background a little bit. The premise behind this whole bill is, "Let's get these people off our backs. Let's tell the people out there that we're doing something about scandals, scandals and misspending"—can I use the word "stealing"? Can I use that word, Madam Speaker?

**The Acting Speaker (Ms. Cheri DiNovo):** No.

**Mr. John Yakabuski:** I can't; apparently I can't. I withdraw that then. But all of the stuff that has gone on at eHealth and OLG and other ministries that is only now coming to the light of day, they want to use this to try to block and try to put the public off their game on this, and think, "We're actually doing something about it." But what it really is: The Premier is again thumbing his nose at the people. I'll tell you why: the very fact that he decided to put this in the hands of the Minister of Government Services. There are 27 people in that cabinet—27 people. Why did he put it in the hands of the only minister in the history of this province to be found in egregious contravention of the Members' Integrity Act? The only one ever—not one of just a few, like just a few people have been to the moon; this is the only member in the history of this province to be found, and I'll quote the Integrity Commissioner's words here, "egregiously reckless" and in egregious contravention of the Members' Integrity Act.

So why would the Premier choose that minister? Let's go back in history a little bit about why the minister was found to be that, just a little background in the newspaper here from back on June 12, 2005. You'll remember at the time that the minister was accused and admitted to having meetings at his former place of business, Chalmers industries. He asserted in his testimony that he

never had anything to do with the business, had nothing to do with it. But when he was running for office he had on his website that he was the CEO of one of the country's best-managed companies and that it was under him that it was one of the best-managed companies. You can't have it both ways.

Anyway, he was found to be having meetings at Chalmers industries and went on to say that he was having those—and, no less, a ministry car taking him to and picking him up from those meetings. "Nothing is prohibited; you should know that," he said in an interview. "We are entitled to get regular reports from our trustees whenever we want." To which a spokesperson, at that time, for the Integrity Commissioner replied, "They are not permitted to have any knowledge of what is going on and the trustee is not to discuss anything with the minister"—spokesman Lynn Morrison said.

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He went on to say that he was having meetings with his wife to discuss their daughter's college education. It was the only time that he could meet with her, he said, because his long hours, combined with his wife's household chores, meant that's the only time he got to chat with her. "I went to see her to talk to her because there is no time to talk at home. I get home late. She is always busy cooking or doing something else at home," he said. I don't know; she must cook at midnight. But that was the kind of story that we were expected to believe, not only in this Legislature but the general public at large. When the Integrity Commissioner found him guilty of contravention of the Members' Integrity Act, that was an opportunity for this Premier to say, "If a minister of this crown"—

*Interjection.*

**Mr. John Yakabuski:** I didn't; he did.

"If a member is going to be in contravention of that act, then he is not going to sit in Dalton McGuinty's cabinet." But no, what did the Premier do? He kept him on with no penalty. Contrast that with Bob Runciman, when he was the Solicitor General and it just happened that he mentioned a young offender's name in the Legislature. He resigned and was put in the penalty box until that issue could be dealt with. It was in the throne speech, but he was held responsible for it. So you have to ask yourself, is the Premier really serious? There were 26 other people who could have handled this portfolio, and he decided to give it to the only minister who has ever been held in contempt by the Integrity Commissioner in the history of this province.

Let's talk a little bit about the history of the summer and why this government doesn't want ministerial responsibility. Dalton McGuinty, the Premier, does not under any circumstance want to bend and do the right thing and fire a minister for wrongdoing. He would rather try to cover it up, hide the facts, obfuscate the whole issue and then pass it on, bring out a bill in this Legislature to try to take the heat off. That's what this bill is about.

Why would the people believe that the Integrity Commissioner should be the one to answer for spending



outside of the rules? Why would the people expect that? The minister is the one who should be responsible. They're the ones who should take charge and take responsibility for the misdeeds of those under their authority. If the minister is not going to take charge and take responsibility for it, then this Legislature is no longer the governing body of that part of our provincial operations. We ultimately have to be responsible, and in order for this Legislature to be responsible, we have to have ministerial responsibility. This bill is anything but, does anything but bring this responsibility under the hand of a minister. In fact, it does everything to protect the minister. It does everything to take the responsibility of running your show out of the hands of the minister.

It's the same thing that has happened, for example, with the LHINs. The Minister of Health built these LHINs, multi-million-dollar operations that now act as a shock absorber for the minister. So whenever there's an issue that the minister doesn't want to deal with, he just says, "That's in the hands of the LHIN. I don't have anything to do with that. I don't make those decisions. It's in the hands of the LHIN." Well, we all know who created the LHINs, and we all know who directs the LHINs when it comes right down to it. But they always have that cushion, so to speak, so that when they don't like the news that's coming out, they can hide behind the LHIN. Now they want to hide behind Lynn again, but that's Lynn Morrison, the Integrity Commissioner. So it's from LHIN to Lynn, but they're still hiding, and that's the problem here: They're still hiding. They don't want to face the issue, which is government accountability and ministerial responsibility.

Let's talk about one of the reasons that we got here. This government had to do something, or—sorry; what it really had to do was the right thing and have the ministers responsible for eHealth and the OLG mess—it should have been both Minister Caplan and Minister Smitherman because their hands were all over it. And the Premier's hands were all over it because he personally intervened and hired Sarah Kramer at eHealth. Then they had to fire her, but they'd rather do that than fire the minister. That's what really should have happened. If that would have happened, we wouldn't be dealing with a very, very complicated process where now the expenditures of 80,000 civil servants are going to be handled by the Integrity Commissioner's little office of nine people. It's not only unworkable, it's impossible. What kind of oversight can you have when you have to deal with that many people? It's just not possible. There are going to be errors and omissions at a grand level because of the fact that you can't do that with that many people.

What did happen at eHealth? It all started with people starting to dig into the fact that we had this eHealth thing going on here that has spent \$700 million or so and hasn't produced electronic health records, which they continue to promise they're going to get. So some digging was done. It was a result of FOIs—freedom-of-information requests—on the part of our party that were continuously being blocked. We had to reapply, change

the wording and ask in a different way, and all of that kind of stuff because they tried to do everything they could to prevent us from getting at them.

The government talks about transparency and accountability, and when Dalton McGuinty was elected Premier, in the very first throne speech he waxed on and on about the importance of accountability and transparency and about how much he would assure and guarantee that that would be the watchword of this government. Well, that's all it was.

**Mr. Robert Bailey:** Just words.

**Mr. John Yakabuski:** Thank you very much to the member from Sarnia-Lambton—just words. That's all they were: words. There was no meat on that bone at all. It was just a way to try to, again, paint a lovely Alice in Wonderland picture to the people of the province of Ontario, but we know what we've got is anything but. I think it's the Mad Hatter who may have taken over somewhere along the way and we're paying the price for that.

Sarah Kramer: It starts out that she gets hired just last year, and again, the Premier had his hands on the hiring. Shortly after that, she gets a bonus of \$114,000, after three months on the job. She barely found her way to the executive washroom. She had only delivered one speech—a \$25,000 speech, mind you. We should all have copies of it. For goodness' sake, we should somehow get our money's worth out of that in one way or another. Maybe we could send it around to all the schools in the province and feel like we got something back for the investment. A \$25,000 speech, and she gets a \$114,000 bonus—but in McGuinty's Ontario, it doesn't matter how much you spend on someone as long as you're prepared to get rid of them if they might cause you a little bit of heat. So out the door she goes with—she got a severance equal to at least her salary of \$380,000, after three months on the job. Unbelievable.

Then it was all about untendered contracts—over \$5 million in untendered contracts at eHealth. People like the Courtyard Group and Michael Guerriere—very connected to the Liberal Party; Anzen Consulting; Allaudin Merali and Donna Strating. Here are people who were getting paid in the neighbourhood of \$2,700 a day—\$2,700 a day, and I'm not talking a month, just for the people out there listening or watching this on television. You can't watch it on television in very many places anymore, because the cable companies have pretty well cut us out. Bell ExpressVu doesn't even carry this channel anymore, but they do carry Saskatchewan. So I'm sure there are plenty of Ontario people able to tune in on that.

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But for the 12 people who are watching, that's not \$2,700 a month; that's \$2,700 a day. That's what they were being paid on untendered contracts, and it always seemed that the people who got these contracts had very close connections to the Liberal Party. Coincidence? I hardly think so. But even at that, \$2,700 a day, apparently nobody built in the Timmy's clause. And you



know, the Timmy's clause, that's the one that covers you for that dollar-whatever cup of coffee or tea or the mid-afternoon pick-me-up. Choco Bites, was it, or something there?

**Mr. Peter Tabuns:** Choco Bites.

**Mr. John Yakabuski:** What's that, Coco Bites or chocolate bites?

**Mr. Peter Tabuns:** Choco Bites.

**Mr. John Yakabuski:** Four dollars, or three-something?

**Mr. Peter Tabuns:** Chocolate-covered ice cream bits.

**Mr. John Yakabuski:** Oh, chocolate-covered ice cream bits. They're worth a few dollars, but those folks couldn't manage to dip into their own pockets to pay for those. They had to bill the taxpayers here in the province of Ontario.

Flights—what about the big party they held for all these eHealth folks? Remember that, at that convention?

**Mrs. Joyce Savoline:** In Quebec.

**Mr. John Yakabuski:** In Quebec City. How much was that?

*Interjection.*

**Mr. John Yakabuski:** My goodness gracious, a big party. They're doing such a good job spending almost \$1 billion and getting nothing for it that they figured they better throw them a party for their good work.

So that's the kind of stuff that was going on under the minister's nose. A person using any logic would ask himself, "Well, who's responsible?" Or, more importantly, who needs to be held responsible for these kinds of misdeeds? Who has got to take the bull by the horns and say, "That one's on me"? Well, logic would dictate that the head of the agency, being the minister, would be the one. Not in McGuinty's Ontario. No, that would be the CEO, Sarah Kramer, who was fired without cause because this minister wouldn't step down and that Premier wouldn't fire him.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Tabuns:** Well, we have had two of the better orators in this chamber speak today: My colleague from Welland, although under the weather, as I said earlier, is able to give a great tour of the issue. It's not often that I hear a member of the House refer to Alice in Wonderland. He didn't talk about magic mushrooms being part of the expenses that came through, but he did pretty much cover the rest of the landscape.

I think everyone on this side of the House is pretty certain that when this bill is adopted—as it most likely will be, given there is a majority—the sale of Choco Bites in this province will drop precipitously, because clearly they've been underwritten very heavily by the public purse in the last while.

I appreciate what the member from Renfrew has had to say. In fact, we know we have a government that sets aside the interests of the public when it comes to their spending decisions, that has a culture within which people would think that they could get \$3,000 a day and

on top of that deserved, were entitled to their entitlements, entitled to expense a cup of coffee.

People understand the big numbers as a problem—a \$25,000 speech is a problem—but they understand the small numbers as a symptom of a lack of concern for the public as a whole. It's contemptuous. If you're making \$3,000 a day and you are charging for your coffee—you've got to be kidding, right? You've got to be kidding. People understand that that's just simply cheap.

And so I say to you that in this bill there will be some elements that will be useful, but there is a larger question—and it has been touched on by this speaker and by others—and that's that if you have a culture in which people expect that they can charge everything, then they will charge everything.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Pat Hoy:** I'm pleased to rise and make some comments on this very important bill, Bill 201, the Public Sector Expenses Review Act of 2009.

I want to begin by letting folks know that the proposed Public Sector Expenses Review Act would give the Integrity Commissioner the legal authority to review senior management expense claims made within Ontario's 22 largest agencies and take appropriate action should irregularities be discovered. Now, some comments from the opposition—and more than one member has pointed out that there are currently nine people working in the Integrity Commissioner's office and we have all these public servants who would be providing their accounting of their expenses. Well, it seems to me that logically the Integrity Commissioner has discretion to make recommendations for other steps as appropriate, and that might be to hire a few folks to help him or her out. I would think that's just logical, that there would be some assistance in this regard.

As members of this Parliament, we provide forms to the Integrity Commissioner. Our disclosure is made on a standard form. I would think that, logically, there might be a standard form implemented for these 22 largest agencies so that the expenses can be overviewed in a fashion that provides for timeliness and great accountability. So I think we need to move beyond this a bit. I suspect that if the opposition were to vote against this and if they were ever to be in power, they would therefore want their ministers to be responsible. But I think this is where we should be moving: to the Integrity Commissioner with these forms—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Questions and comments?

**Mr. Gerry Martiniuk:** I am very pleased to comment on the words of my good friend from Renfrew-Nipissing-Pembroke. He painted a very vivid picture of the workings of the freedom-of-information act. When you pick up that rock out in your garden, you see all sorts of things running for cover. It's basically ministers of the crown who don't want to take responsibility for the actions of this government. It's quite amazing.

I remember way back in school, I thought we lived under something called responsible government. Some-



how, no one wants to take responsibility. It's being pushed off and pushed off. The LHIN is there to make sure that no minister can be in any way accused of not doing their job because they're not responsible. It's an appointed board, and a very expensive appointed Liberal board, I should add, in most cases.

So what's going on? Why is this government hell-bent to destroy a tradition of responsible government that has extended right back to the days of Magna Carta? Will it work? Is the public that naive that they will buy the fact of a minister standing up and saying, "I'm sorry. I didn't know that they were paying somebody \$2,700 plus lunch"? That's not for a week, by the way, ladies and gentlemen, that's not for a month; that is for one day, one day where you get paid \$2,700, plus all you can eat.

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Questions and comments?

**Mr. Bill Mauro:** I was out of the Leg for a little while, while the member from Renfrew-Nipissing-Pembroke was speaking, so I didn't hear all 20 minutes of his remarks, but as I look across the chamber at him I don't think in his 20 minutes he suggested that he was going to vote against the bill. I'm looking at him now, seeing if he'll shrug his shoulders or nod his head one way or another, but nothing indicated, so we are going to continue to take some implied consent in the fact, so far, that this particular bill may have their support. If so, we would look forward to its passage and continuing to move the yardsticks forward when it comes to transparency and accountability in the province of Ontario.

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They have continued to speak, when they rise on this particular bill, I would suggest, and neglect to talk about the significant role that the Integrity Commissioner plays in the province of Ontario, just like every other independent officer does who reports to the Legislative Assembly of Ontario. To suggest that by giving this responsibility to the Integrity Commissioner this is a whitewashing of responsibility, that this is a public relations exercise, is really straying, I would suggest, getting about as far away from being accurate as one can go. We know, everybody in this Legislature knows, about the powers and the impact and the authority of independent officers who report to this Legislative Assembly, including the Auditor General, including the Ombudsman, including the Environmental Commissioner, who are all independent officers who come here and don't report to the government but report to the Legislative Assembly, and everybody up in the press gallery can hardly wait until these gentleman and these officers and these ladies bring their reports into this Legislature all the time. They carry weight. They're powerful. To suggest that by giving them this responsibility, it's a deferral of doing something substantive, I would say is a bit of a stretch.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Renfrew-Nipissing-Pembroke has up to two minutes to respond.

**Mr. John Yakabuski:** I want to thank the members for Toronto-Danforth, Chatham-Kent-Essex, Thunder Bay-Atikokan and Cambridge for their comments or

remarks on my comments. I would like to respond briefly to the member from Thunder Bay-Atikokan that, yes, that's exactly what this is: a whitewashing. And the Premier has already shown that he doesn't respect the rulings of officers of this Legislature. When he had an opportunity to do something with the Integrity Commissioner's report on the then Minister of Transportation in 2006, he looked at it, the minister was found in egregious contempt, and do you know what he's basically said? "Thank you, Mr. Integrity Commissioner. I'll be keeping him on. You go back to your offices at Yonge and Bloor, the 21st floor or whatever it is, and I'll let you know if I need you again." That's basically what he said to the Integrity Commissioner.

Why would we expect that this Premier would do anything less, or more, with anything else coming out of the Integrity Commissioner's office, or any other office of this Legislature? Quite frankly, if you want to get to the bottom of this, if you want to be accountable to the people and if you want to be accountable to this Legislature, there is only one proper route to take, and that is to make ministers responsible for their misdeeds. We have ministers on that side of the House who should not be in cabinet because of how they have failed in their responsibility to their ministries and agencies under their ministries. If this Premier wants to show leadership, he can start by sanctioning those ministers and send a message to everybody else in that cabinet that if you step out of line in here, or out there, you're going to be sitting in the back row.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate. The member from Toronto-Danforth.

**Mr. Peter Tabuns:** Boy—well delivered. My colleague has made a number of very strong, very relevant, very clear points about the limitations of what's before us today. There's no question that having a bill in which the Integrity Commissioner has power to look at people's expenses can have some utility. I mean, who's going to say it's bad? But the more fundamental issue is, what is the culture of the government that actually is in place? Is it a government in which there is ministerial responsibility, within which ministers actually dig into the agencies that they have some responsibility for, and who make sure that within those agencies a mental framework is in place so that they understand that they have to treat the public funds with which they are dealing with some respect? Is that what we have? Because if we don't have that, simply having the Integrity Commissioner given the power to look into and report on is not going to solve the fundamental problem. That is a position that I think has a lot of validity, and if in fact we want to have government that is not exploding every so often with these sorts of landmines in agencies and commissions, that sort of change has got to happen on the government benches, has to happen in the Premier's thinking, has to happen in cabinet thinking and has to be diffused throughout the body of government so that we aren't in a situation where whenever a reporter or an opposition researcher, through freedom of information, is about to blow the door open



on something, we have a big stand-up, tears in the eyes, bellowing and hammering on the desk that such things will never happen again. That's bad news for us. That says the government is not in control of its agenda, not in control of the agencies it is supposed to be in control of and not in control of the direction this province has to take.

When members on the government side stand up and say, "Are you going to vote for it or not," I think they're missing the essential point that there's a problem around culture and thinking that has to be addressed. That leadership has to come out of the Premier's office. It has to be expressed in cabinet. There have to be consequences for failing to follow the direction that the Premier sets. That ultimately will be far more important than this act.

Who would particularly disagree with giving the Integrity Commissioner ability to look into these things? In fact, I don't have a problem with that. But I don't think that is going to solve the problem this government faces and that other governments will face. It is not just this government and this particular Premier. I believe this particular Premier has failed, but others will do the same if they do not adopt an approach that says to all those bodies that are components of the government: "This is the approach you have to take to public funds. This is the way you have to deal with things. If you don't, there will be consequences for you politically within my cabinet and within my jurisdiction." That is a fundamental reality, going beyond today's government. But today's government has a fundamental failing that this bill will not correct.

The bill, for those who are watching—I think it was my colleague from Renfrew–Nipissing–Pembroke who said earlier that there are 12 people watching. Probably my mother is one of those 12. She's a fan of yours, Madam Speaker. She will watch to see how you rule on what I have to say today.

This bill gives the Integrity Commissioner the responsibility to review expense claims of government agencies designated by cabinet, and a number of agencies are listed here. Ontario Lottery and Gaming: I haven't been in this Legislature that long; I've been here since the by-election in 2006. Twice we've had explosions at OLG, once when Mr. Caplan was minister and clearly once when Mr. Smitherman was minister, and then it was passed on to Mr. Duncan—twice. One would think there should have been a realization a few years ago that there was a problem here that was more fundamental than simply the people at the top, that there was a problem with the way the whole organization was purposed, directed and focused.

It's interesting to me that Ontario Power Generation, Hydro One, the Independent Electricity System Operator and Ontario Power Authority are all listed. Frankly, I think it makes sense that their expenses should be open to scrutiny and inspected by the Integrity Commissioner. But I have to tell you that this bill will not deal with the biggest problems that those agencies, those corporations we control, will introduce in this province.

Today in this chamber, Mayor Hazel McCallion and members of her community came to speak about the fact that they see substantial problems with the building of a new gas-fired power plant in their riding. That won't be caught with this unless there is some expense for Choco Bites by a major contractor. But, in fact, that is a huge waste of public money: a massive misadventure in terms of energy policy in this province. That's something that needs to be addressed by this Premier and this government. It's not going to be addressed in this context.

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An announcement that was made last week as part of the green rollout to cover over the government's energy policies was the announcement of investment in transmission lines. Buried in that press release, that media release, was the line that because of the size of the investment, there may be agreements with third parties to finance these transmission lines. That's the beginning of the privatization of the hydro transmission system in Ontario. To me, ultimately that matters a lot more than a \$25,000 speech or a \$3,000-a-day consultant. That will have huge impacts on the lives of people in this province—huge impacts.

I am not saying that the other matters don't need to be dealt with. But I am saying to you that those very big public policy issues that will shape our lives for decades to come, which will have impact on kids with asthma in south Mississauga, in Clarkson, in Oakville, all of those things will be unattended to by this bill and unattended to by a government that, on the very highest levels, does not make decisions that are economically rational.

I know often the right wing uses a term around economic rationality—no offence to my colleague in opposition—I think to justify policies that really express interests of particular business sectors against the interests of the population. But in fact this government could make investments in electricity that would be dramatically cheaper than they are making—and economically and environmentally far more sustainable—and is caught in a road, caught in a framework of spending a fortune on gas-fired power plants as an adjunct to their nuclear fantasies. That has a huge impact on our health and, in the future, on our pocketbooks.

I note as well that Metrolinx is coming under the jurisdiction, under the purview of the Integrity Commissioner. As you well know, Madam Speaker, Metrolinx is engaged in a project in the west end of the city of expanding train lines. We need train lines. We need public transit, but instead of doing the right thing and making them electric trains, making what, for the long term, is the most rational economic decision, they've decided to plant their feet firmly in the 1960s and put diesel trains in place instead of going to electric trains.

It's often argued, "We have to make these transitional moves." You know, if I ask you to cross the street and you walk back and forth on the sidewalk and never actually cross the street, you're not accomplishing the purpose; you're not getting to the other side. This government, in its approach, creates far bigger problems than



we're seeing with these expenses, and I think in some ways is using the expenses issue as a cover to move aside those more expensive, more substantial problems.

Now I have to say, having set out the context, that this bill leaves a number of agencies untouched. One has to ask why that is. Why not the Ontario Securities Commission? They are of tremendous consequence in this province. People I have talked to, going door to door in my riding, who invested in stocks on the advice of stock salesmen, who have seen their savings drop by 30% to 50%, have concerns about the integrity of securities commissions. People who have become victims of outright Ponzi schemes or schemes that relied on unrealistic predictions about the value of very fanciful financial instruments have been hurt. That's a key commission. Why is it not being under supervision? Why isn't the insurance and pension regulator being checked out?

These commissions and bodies have responsibility for very large volumes of money. To understand that they're properly run and to understand that those who are running them are responsible with public dollars is of consequence to us. I have to ask, and I believe the government has to answer, why they haven't actually extended it to those other very sensitive and important agencies.

A question that was raised earlier by members of the opposition was whether or not the Integrity Commissioner's office has enough staff to actually carry through this new mandate. As I understand it, this office now has nine staff. It was originally created to oversee the integrity of the expenses of members of this Legislature and cabinet ministers. As you well know, that's a lot of cats to herd. The purview of this office has been expanded to include the Ontario public service and now, beyond that, to these agencies, boards and commissions. That is a substantial increase in its workload. I don't think it's wrong to expand their purview, I don't think it's wrong to expand their supervision, but frankly, you have to ask, will they actually be able to do their job? Will they be able to do an adequate assessment of what's before them? Will they be able to follow up with reports that will be of consequence? Will they be in a position to make a difference?

You and I both know, Madam Speaker, that even now the Ministry of the Environment in this province has a record of non-enforcement. The Environmental Commissioner of Ontario has reported a number of times and the Auditor General has reported on lack of enforcement on the part of the Ministry of the Environment. When you talk to staff in the Ministry of the Environment, they're very clear: They don't have enough bodies on the ground to actually enforce the law.

The question I have to ask and the question this Legislature has to ask of this particular act is, are there enough bodies to enforce all that is being given to the Integrity Commissioner? I would say, on the face of it, no. That has to be answered by the government. Is this simply another feel-good sort of initiative, or are they actually going to put people in place to make it a real law, a real move to serious supervision?

If you look back, this past spring and this past summer we've seen some very disturbing developments. I don't think it's just members of this Legislature who feel that way; I think it's the general public, Ontarians across this province, who are quite worried. They want to know, when you go door to door, that their tax dollars are being spent wisely. They want to know that they're getting value for money. Because it takes a lot to get money in the door in the first place. If it's going out, they want to know it's going to something worthwhile. They see needs for those dollars.

I don't know about others, but my guess is that other members of this chamber, when they listen to their constituents who come to them, hear about the call for more child care; they hear the call for more nurses; they hear a call for more investment and education overhaul, special-needs servicing in schools. They see a wide range of needs that they correctly perceive are not being met. So when they hear about the sorts of spending that went on at eHealth this past year—and I referred to this in my earlier commentary: a \$1.65 charge for tea at Tim Hortons, a charge being submitted by a consultant who was making thousands of dollars a day—they feel that they are being abused. They don't feel that in fact they are being treated with any sort of respect. You don't pay someone that much a day and then expect that they will have their tea and coffee expensed as well.

The speech that cost \$25,000—I have to say, you've got to wonder about that speech. Someone else said that at 25 hours that would be a thousand bucks an hour. I don't know how long the speech was. You know, an hour is generally considered a pretty long one. If you're Fidel Castro, four hours isn't bad. My guess is Fidel never paid 25,000 bucks for a speech. So probably 20 minutes, maybe an hour. That's an extraordinary expense for a speech; \$25,000 is a communications strategy, not a speech.

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That kind of spending talks about a contempt for the people of this province. That's why people get angry. They understand that you have to spend money. They don't begrudge the fact that money is spent for nurses, for schools, for police, for firefighters—all that makes sense to them. When you go beyond that, then you have to be able to justify the basis upon which the spending is made, and when we have this kind of experience, that justification, that legitimacy for public expense is undermined.

There are a number of other expenses that came up that should be mentioned in the context of this debate. There was a vice-president at OLG who spent \$3,700 on a meal. I understand it was with a group of people. That's still an awful lot of money for a meal. There was an executive at OLG who was reimbursed for the \$1,000 he put toward renting a Florida condominium after work requirements forced him to cancel. There were expenses on and on for small items that, as I had said earlier, always particularly grate with the public.

But those things, as grating as they are, pale in comparison to the value of untendered contracts that went



out. At eHealth, more than \$5 million worth of untendered contracts went out to very high-paid consultants. Now I have to say, having had an opportunity as a city councillor to work with a lot of consultants, work with the departments of the city, watching how things work, that there are smaller contracts that frankly aren't worth tendering because you will spend as much time tendering as you will actually getting the work out of them. But when you start getting into the hundreds of thousands, in fact, the tens of thousands, then it is not justifiable to have a single-source contract. There are a lot of capable consultants out there. You should be looking for best value. It would appear to me that that search for best value was not part of what this province was subjected to.

This bill will potentially have some small impact on that, but ultimately—I'll come back to the point I made at the beginning and that's been made by other members of the opposition—if this government doesn't change its thinking, doesn't change its approach to public expenditure, doesn't understand the basis for legitimacy and how one loses legitimacy, then even though this bill may be put in place, the fundamental problems and the explosions will continue to happen.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mrs. Joyce Savoline:** I agree with much of what the previous speaker has said. In fact, I believe that what this bill is doing is an end run on public trust. The public is expecting a meaningful change as a result of all these scandals, and the government is playing the game of avoid, avoid, avoid: "What can we do to not really stand up to our responsibility?"

This should not be a public relations exercise and a damage control exercise that we see happening here. The people really deserve more. They deserve real accountability, real transparency and a real, direct oversight by this government.

By passing this responsibility on to the Integrity Commissioner, I think this is a clear admission that this government and its ministers are not up to the job. They have to pass it on to somebody else. The public is not being fooled by this shell game of who is responsible for what, and by passing this responsibility off, this government is not able to manage. The proposed Bill 201 is clear evidence that this government is totally lost and has no idea, absolutely no idea, how to move forward except by delegating their authority: "Let somebody else do it. Let somebody else carry the can, so if something goes wrong, we can't get blamed, because it's all arm's-length." Bill 201 has very little substance. So the devil is in the details, and you know as well as I do that the details are the regs, the regulations that the staff will write that we have no input into.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments. The member from Welland.

**Mr. Peter Kormos:** Thank you kindly. I appreciate the contribution that my colleague Peter Tabuns has made to this debate. Yesterday, just yesterday, I was down at the Hungarian Presbyterian church, the Com-

munity Presbyterian Church, in Welland for their annual fall lunch.

**Mr. John Yakabuski:** How was it?

**Mr. Peter Kormos:** Well, chicken soup with csiga, cabbage rolls that can't be beat, roasted chicken and a salad and these—I shouldn't have eaten one but I did; I haven't eaten one in a long time—pastries with the Bavarian cream between them. But you know, I went into the kitchen to say thank you to the ladies. I've known them for many years. Many of them have known me since I was a little kid. There's 70- and 80-year-old women making hundreds of cabbage rolls from 6 in the morning by hand, chopping up the lettuce, roasting the chicken in an old oven at the church house. And csiga—I don't know if you know what csiga is—is egg noodles wrapped around a knitting needle and then rolled on a grooved board. I'll bring you some—incredibly labour intensive. A whole lot of these Hungarians came here after the revolution; a whole lot came here around the 1920s. It rots those people's socks to see some fat cat on the public pad eating a \$3,000-plus meal. These people worked all of their lives, they worked hard and they continue to work hard in their retirement. By the way, the meal cost \$16. It's offensive, it's an insult to those kinds of hard-working people that fat-cat consultants will thumb their noses, ignore them through the blacked-out windows of their limousines, after those people have worked so hard.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments. The member from Haldimand-Norfolk.

**Mr. Toby Barrett:** As we continue this afternoon's debate on this Public Sector Expenses Review Act, a piece of legislation that really should not be necessary when the responsibility lies with the Premier and responsibility lies with cabinet and members in this House, I might suggest to members, and in particular to members opposite, that when you exit the door to the chamber, if you turn right, there's a very large brass plaque. It's actually at the entrance to the lobby into which the government members come every day. It is a plaque to commemorate Robert Baldwin. He lived from 1804 to 1858. Robert Baldwin devoted his entire career as a parliamentarian to the principle of responsible government. On one occasion—and he resigned a number of times based on principle. That's the kind of person that Robert Baldwin was, as a member of the Legislature. At one point he did resign when the principle of responsible government was not implemented as he had wished. This was 160 years ago. If he were here today he would have, I would expect, a very strong expectation to see a cabinet minister resign over the scandal with respect to eHealth. I would expect that Mr. Baldwin, an honourable gentleman of high ethics, would expect the cabinet minister to resign with respect to the scandal around the gambling agency in this particular province. That's Robert Baldwin; that's someone perhaps we should look up to.

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**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Questions and comments?



**Mr. Dave Levac:** As the discussion continues, we're focusing on the identification of concerns and issues that have been raised since I've been here in this place, and even before me, regarding the types of spending that's done with the taxpayers' dollars. For that, I have absolutely no concern, and I understand vividly why we need to get that wrestled and controlled. There have been previous pieces of legislation that have attempted to do that as our concern has evolved.

The member who gave the last 20 minutes, Danforth—help me out, Peter.

**Mr. Peter Tabuns:** Toronto—Danforth.

**Mr. Dave Levac:** The member from Toronto—Danforth has indicated in a fair kind of way that it's previous governments and concern—which I think is a legitimate one that we need to debate and discuss even further, hopefully in committee—for future governments regarding how the application of the change of culture needs to take place. As we move towards that goal—it's a laudable goal to ensure that the cultures we work in complement the thoughts of the general public. To me, that represents exactly where we need to be headed, and that is to root out these unexpected, in some cases known, spending habits and stop them. Do we create that culture by simply saying, "Shame on you. Start fixing it," or do we put the legislation on the ground? You said that we're voting on a piece of legislation; we should be voting on the culture. We don't vote on the culture, and that's the problem: We vote on the pieces of legislation that get presented. Do we receive the challenge to do better? I think absolutely. I think previous governments have done so, I think this government should do so and that future governments should continue to look for ways in which we protect taxpayer dollars and make sure they're spent in a way that represents value for dollar.

So I will be supporting the bill. I know the member came close to saying he's going to support the bill, and I'm interested to see if he would like to—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. The member from Toronto—Danforth has up to two minutes to respond.

**Mr. Peter Tabuns:** I thank my colleagues, the members from Burlington, Welland, Haldimand—Norfolk and Brant. I want to make it clear that I know you cannot vote on the culture of a government. The voters can do that; they accept or reject.

What we have before us is a bill. What I tried to make clear in my remarks was that the problem we have is much bigger than the bill itself. The bill may well be useful. We will see what comes out of committee, we will see what comes out of debate within our caucus as to whether or not we support this. But I am saying to this government that they have a bigger problem, and that's that people who come on board to work for this government on a contractual basis, on a consulting basis, don't understand the standards to which they have to operate. The people who run those agencies, those commissions, apparently don't understand either and are not passing down the instructions to those they hire, including the ones they hire on untendered contracts.

This government can pass this bill; it may be useful for the guidance of future governments. But this government is doing the people of Ontario and itself a disservice by acting in a way that undermines its legitimacy and undermines the legitimacy of government itself. That's a problem. We can't vote on it in here, but when we debate this, we can talk about what we see as the central issue. I don't expect government members to stand up and say, "Mea culpa. Yes, I have seen the light, and you are right." I will take bets that that will never happen, and I would win those bets. But the critical thing is that in your own discussions out of this room you should be thinking about the long-term legitimacy of government, period.

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Further debate?

**Mrs. Joyce Savoline:** I'm pleased to speak to Bill 201 because for me it's no surprise; we expected some kind of bill so that we could deflect, manoeuvre and take away from all this shame with the scandals that are occurring. I just didn't know what format it would come in, and so here we are, debating hours and hours on Bill 201 to allow the government to try to tell us that this bill, if passed, is going to further strengthen accountability, transparency and oversight of expense claims. Well, you know what? That should be happening right now. All that should happen is a toughening of those rules within the ministry, not yet another bill and another big debate and a foofaraw to deflect from the public what is really happening.

There's a press release that says, "The government consulted with the commissioner"—that's the commissioner of integrity—"as the legislation was drafted and will continue to do so as the regulations are developed." Well, our critic John O'Toole addressed these Liberal communications with the Integrity Commissioner in the first round of debate. He said that our leader, Tim Hudak, Niagara West—Glanbrook, spoke to the office of the commissioner, and yes, there had been a conversation. And what did the acting commissioner say? She said that it is "up in the air just now."

So all we're doing is biding time until somebody figures out what to do. Clearly, the Liberals have not taken into consideration the amount of extra work that this will put on the commissioner's office. Again, here's an initiative that's not well thought through, but simply a knee-jerk to try to deflect.

The Integrity Commissioner has only eight staff. Within the office, they do a great job. They are assuring accountability within the five existing areas of responsibility that office currently has, and they have their hands full. Those responsibilities are, looking after members' integrity—once a year we all have to file all the kinds of businesses we're involved in and how many bank accounts we have and how much interest we have and the investments we have. The Integrity Commissioner looks after all of that and makes sure the 107 members are reporting correctly. They also have the responsibility of looking at lobbyist registration. They also have the responsibility of reviewing ministers' and



opposition leaders' expenses. Ministers' staff ethical conduct is one of their responsibilities—and the public service disclosure of wrongdoing. I'd say they have their hands full.

So I'm concerned that this little office of eight people plus the commissioner potentially will now have to conduct as many as, if you do the math, 80,000 additional employees' filing of expenses. That's a huge number of expenses to look at. We did the math, and if each one of these employees files just once a month, that's over one million additional pieces of paper that would be passing through the Integrity Commissioner's office. Has anybody thought of that? No, this is just a case of, "Let's get a bright idea. Let's get a headline to make it look like we're doing something." And what that all equals is, deflect and delegate. This is just another example of the Premier and his cabinet shuffling responsibility anywhere else other than to themselves.

The Integrity Commissioner would be responsible for looking at expenses within Ontario's 22 largest agencies. They've been read off, but we already know about some of them: the OLG; Ontario Power Generation; Hydro One, which had its issues; Independent Electricity System Operator; Cancer Care Ontario; Ontario Energy Board; Alcohol and Gaming Commission of Ontario; Human Rights Commission; Metropolitan Toronto Convention Centre Corp. It goes on and on and on. The proposed legislation applies to the expenses as of September 1, 2009. That's about four weeks ago. As we have seen with both eHealth and the Ontario lottery corporation, the spending scandal goes back much further than September 1, 2009. What the Liberals are basically doing with this bill is giving these 22 agencies that I've just talked about a clean bill or slate as of September 1, 2009.

1600

Well, I'm sure they've all been given a heads-up and told to tighten their belts and watch what they're doing. What could possibly be happening in any one of those agencies as of September 1, 2009? What about the thousands of dollars that have already been spent? Surely these 22 agencies were given this heads-up, and they needed to put a clamp on their spending as of September 1, 2009. But that does nothing to address the disrespect of taxpayers' dollars that may have been spent prior to that date.

Perhaps this government should consider making this bill retroactive for a year, or more perhaps, so that we can get a real look at transparency, especially for agencies, boards and commissions that are not FOI-able—that is, the Freedom of Information Act—like Cancer Care Ontario, like Metrolinx, like TVO and TFO and the Ontario public service and pension board. What happens in those cases?

If this bill is passed, it will address spending at the 22 of this government's largest agencies, boards and commissions. Do you know what? There are 630 of these agencies, boards and commissions in total—630. That means, if you look at it in percentage terms, 3.5% of all of these agencies will be looked at. What happens to the

other 96.5%? They can continue to operate in an unaccountable and untransparent manner, and have really hit the jackpot—because nobody's looking at them. They can spend, they can spend, and they can spend.

We have seen that the current ministers are not scrutinizing these agencies, boards and commissions that fall within their respective ministerial portfolios. The Integrity Commissioner's office will not be responsible for the remaining of the 630 agencies. So who's going to be overseeing these boards and commissions? Who's going to be accountable for their tax dollars? The bill will do very little to prevent further spending scandals because it does nothing to monitor the remaining 96.5% of these agencies.

Take, for example, eHealth Ontario. I mean, how much paper have we seen on this lately? This was the first agency that highlighted this government's summer of scandal. So let's be clear: It was the Progressive Conservative Party that held this Liberal government to account for the mishandling of tax dollars that has occurred in eHealth. Without the PC Party's FOIs, eHealth Ontario would be continuing their non-transparent, non-accountable and unmonitored expense claims.

I will mention that since we exposed eHealth Ontario, the FOIs have been trickling in at a snail's pace as this government attempts to conduct damage control. We questioned them on the \$16 million worth of untendered contracts to Liberal-friendly firms like Courtyard and Anzen. We highlighted the thousands of dollars that eHealth consultants and executives spent on lavish apartments, flights, limos, fancy meals—and also not-so-fancy meals like muffins and cocoa bits and tea. All this paid for by the taxpayer—it's really shameful.

Allow me to refresh your memory: The number of contracts, as I said, to Liberal-friendly organizations—from \$5 million, which is what we originally talked about in May of this year, it is now at a point of \$16 million and counting—\$16 million worth of untendered contracts. This is a really complicated web that has been woven here.

Sarah Kramer, the former CEO of eHealth, received a salary, annually, of \$380,000. Three months on the job, she decides to give herself a bonus—a bonus, after three months on the job, of one third of her annual salary—a \$114,000 bonus after three months. What could she possibly have done to have deserved that? Nearly \$2,300 worth of cab and limo rides in the first six months, and \$51,000 for office furniture.

We have other corporate executives averaging \$60,000 a month, charging \$2,750 a day as a cost to taxpayers for doing their work, enjoying a six-night stay at the Royal York to the tune of \$2,100, plus an evening drink every day that cost \$15; flying between Toronto and Edmonton 31 times over a five-month period at \$24,000. Where was the work being done, for goodness' sake?

I could go on and on. Donna Strating earned \$2,700 a day. She billed taxpayers \$1.65 for a Tim Hortons tea and \$3.19 for a dessert square at Second Cup. Earning



\$2,700 a day and she's going to nickel and dime the taxpayer for a cup of tea.

Courtyard Group received three untendered contracts amounting to almost \$2 million, and an additional contract worth \$8.5 million. Courtyard's Michael Guerriere charges \$393.10—and 10 cents—an hour, or \$3,145 for an eight-hour day. What could somebody possibly be doing for that amount of money? Courtyard employee Karli Farrow charged \$327. She charged a total of \$10,646 for 32½ hours in January.

This just goes on and on. Anzen Consulting is owned by Miyo Yamashita and her husband Michael Guerriere, whom I've already mentioned. He's the head of the Courtyard Group. Anzen received \$268,000 in untendered contracts plus a \$75,000 contract for only two months' work. These people billed \$300 an hour for reading the New York Times, \$300 an hour for listening to their own voice mail and \$300 an hour for talking to people on the subway. We were horrified when we heard these things. Who was looking at these contracts? Who was understanding the detail of what these people were expected to do?

We were looking for eHealth records. That's what Ontarians were promised, and that's what we wanted. I can't imagine that any of these billing items would result in better eHealth records.

On June 18, Mr. McGuinty announced that the government and all its agencies would no longer allow sole-source contracts for consulting services. Well, the horse is out of the barn, the gate is closed and now we're not going to allow any sole-source contracting. Mr. McGuinty also announced that, under the new rules, consultants will not be allowed to bill for extra hospitality, incidentals and food expenses, so I guess they're going to go hungry. I guess they're just going to go hungry. The announcement came alongside eHealth board chair Alan Hudson's resignation—Rita Burak will replace Mr. Hudson as board chair.

This isn't brain surgery. This stuff should have floated to the top and had neon signs glaring through the pages as they got to the minister's office for approval. Who was watching? Who was in charge of the store? Why do we need the Integrity Commissioner to pick up these blatant misconducts in expenses by consultants? Why the Integrity Commissioner? This is logic. People don't understand why this government is doing what it's doing.

Now we're waiting for publication of the chapter containing the Auditor General's results, coming this fall. Well, fall can run right to Christmas.

1610

Then we come to the third party review. PricewaterhouseCoopers received \$26,250 in an untendered contract earlier this year to conduct a review on internal controls. On June 1, Minister Caplan told the Legislature that he had "directed the eHealth board to undertake a third party review to ensure that best management practices are being followed." It was later announced that PricewaterhouseCoopers would conduct the review. At the end of July, however, it was announced that the

minister had put a stop to this review and that he would wait for the auditor's report.

On Monday, September 14, a complaint was filed with the Speaker about misleading statements made by the Premier and his Minister of Health, David Caplan, about eHealth and a promised review of the agency. The letter was signed by the House leader, Bob Runciman, and the NDP House leader, Peter Kormos. That review was something we were all looking forward to. It's not forthcoming. Why not?

On June 18, the Premier said, "The buck stops with me." The Premier said, "I take responsibility for this. We should have had tougher rules in place. We owe it to Ontarians to get it right." So over a few short months it's clear: The buck does not stop with the Premier. This bill is shuffling around the accountability to the Integrity Commissioner's office and away from the Premier and his ministers.

We started talking about the spending scandal at eHealth on May 28. To date, the former board chair, Alan Hudson, the CEO, Sarah Kramer, and senior executives—they've all gone; they've resigned. They left by choice, or maybe they were shown the door. But the Minister of Health? Well, he still sits in his chair. Isn't the minister essentially the CEO of the Ministry of Health, a \$42-billion ministry, and isn't he responsible to ensure that agencies that fall under his purview are being accountable to taxpayers? It's their hard-earned money that he's spending. I guess that's not so, because nobody seems to be scrutinizing what the Premier and the ministers are doing. We don't know what further scandals we may still see.

On September 1, the Liberals released two years' worth of expenses that were filed by OLG board members. Like eHealth, it was our party's freedom-of-information requests that promoted this. However, unlike eHealth, the Liberals released the information for the media hours prior to actually allowing us to have copies. It just goes to show you that power is power.

Now we have a lawsuit. Kelly McDougald has launched an \$8.4-million wrongful dismissal suit against OLG, the crown and the finance minister, Dwight Duncan, so the plot thickens. It just goes on and on and on. The Premier and his Minister of Finance took a different approach to this spending scandal: Instead telling a room full of reporters that the buck stops with him, like the Premier did with eHealth, they just fired the CEO. That was their solution to the problem.

The abuse of hard-earned taxpayers' money is a very serious issue. This proposed piece of legislation addresses only 22 of the agencies and does nothing to address wasteful spending that has been happening for years. If this government were serious about accountability, they would be looking for more than just what's happening in those 22 agencies. Since that is not going to happen, the government should, at a minimum, release the expenses over the past few years for all of these agencies so that we have something to compare once the Integrity Commissioner starts auditing these expenses.



We have nothing to compare to. How else would we identify whether in fact this proposed piece of legislation is actually working?

So I'd encourage this government to take a second sober thought, take the spending scandals at eHealth and OLG just as an example and, rather than use this legislation as a band-aid, use it as a step forward in holding all government agencies accountable.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** The member from Burlington once again makes a very important contribution to the debate. It's always a delight.

We're going to be hearing from Howard Hampton from Kenora-Rainy River in just a few minutes. Folks who are watching should keep on watching.

But you know, I told you before I was down at the Wainfleet fair on Saturday morning, and Jack Layton had been there just an hour before with Malcolm Allen, our federal member. Wainfleet is a small community, just a few thousand people. A lot of long-time families have been there for two, three, four, five generations—farming people. You shake their hand and it's not soft and puffy. They haven't got Bob Rae hands. They've got farmers' hands. Under the fingernails there's this stuff that after 20, 30, 40, 50, 60 years of farming is just never going to go away, and I say that with no disrespect whatsoever.

They had the tractor displays and they had the chickens on display and the geese and the ducks and the cattle. I've got to tell you, those people, it rots their socks, because they pay their taxes. They don't do tax avoidance schemes, they don't hire fancy accountants to try to avoid taxes; they pay their taxes and they know they're going to pay even more with this Dalton McGuinty HST.

But it drives them crazy, it rots their socks that some high-priced, multi-thousand-dollar-a-day consultant is paying yet another consultant \$25,000 to write what was probably a 30-minute speech. Nobody writes their speeches, because they know what to say. Those folks down in Wainfleet, those farmers, they say it from the heart and from experience.

It rots their socks, it drives them crazy, rightly so, those farmers who were down there at the Wainfleet fair on Saturday morning, when they find out that a vice-president at OLG—six-digit income, easy—spent \$3,713.77 on one meal. Shame on the Liberals.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Brant.

**Mr. Dave Levac:** The member from Burlington does what she's supposed to do, read from her notes that say certain things that they're directed to say: Cut up the government, make sure that you chastise, and do the second thing that is often done by the opposition, and that is to be the rooster taking credit for the sun rising: "Everything we've done is perfect; everything they've done is wrong. We're the best; they're the worst."

Quite frankly, she leaves us with a little bit of choice again whether they're going to be supporting the bill or

they're going to be against the bill. All of the members of the opposition have said clearly that this is nothing more than a smokescreen. That's the favourite line that they're using right now. They haven't actually said yes or no to the legislation.

What I'm interested to find out is whether the member from Burlington will just stand in her place and say, "Because it is a smokescreen and we believe wrong has been done, this legislation is not of any value whatsoever. Let's vote against it." On the other hand, if they're in favour of it, let's find out exactly what they're trying to do when they're making their speeches from their notes that simply say, "Repeat over and over again the things that have been uncovered, the things that have been done wrong."

When things go wrong, in previous governments and this government and future governments, the idea would be—and I've been trying to say that since I've been responding—that you continue the evolution of putting legislation in that makes things better and better each time through, to ensure that we get the best possible bang for the buck of the taxpayers' dollars. If there has been some extraordinary spending that's been going on, we should be reeling it in; there's no question about it. I've said that from the very beginning and I continue to support anyone who wants to do that. This piece of legislation, I would respectfully suggest, is attempting to do that. It's making sure that we set a little light into an area that we've not put a light in before. I'm hoping that we get some support from everybody.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Gerry Martiniuk:** I'm very pleased to comment on the words of my colleague, the member from Burlington. But I must really comment on something the member from Brant was saying, because he was talking about, I guess, whipping and speeches, which is rather strange, because if that member or any other member there stood up and was against one of the government bills, they wouldn't be sitting in this House. Their seat would be somewhere out in the hallway, on their way out. It's as simple as that. That's the way it works. That's the way whipping works. It worked in our case and it works now.

The fact is, you end up being trained seals. You know it; I know it. I was one. I can speak from real conviction and experience. But for him to stand up and talk about the freedom and the responsibilities in this House when he's reading from a script, that begs—I just can't understand why he would even raise that.

1620

Rather than talking about the bill, you'll to have note that the government immediately talks about, "Well, how are you going to vote?" They are always trying to shift the responsibility. They take no responsibility. Day after day they come forth with what I would call chocolate-covered bills. You know, at Easter time when I was a kid, you used to get that big Easter Bunny, and you'd stick your finger in it and it was empty. It was just hollow.



Well, that's what their bills are. They take no responsibility. They have a fancy title up at the top, and then there's nothing underneath but a hollow chocolate bunny. What a shame.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Howard Hampton:** I have listened all afternoon to comments that have been made, and I want to commend the member for getting at some of the root of the issue here.

The members of the government caucus want you to believe that this legislation that they brought forth after the horse got out of barn, and after a few hundred million dollars was wasted, is going to be the be-all and the end-all. And opposition members keep pointing out that it's not going to be the be-all and end-all; in fact, it's not even going to get anywhere near close to addressing the real problems.

The members of the McGuinty government want to turn this issue into, "Well, it's a matter of expenses." Expenses are a part of this, but they are one small category compared to several categories where this government has been blowing money out the door—not their money but the money of the people of Ontario—and getting next to nothing for it.

That's the problem. This legislation will deal with one little category. Meanwhile, we continue to see, day after day, this government blowing hundreds of millions of dollars out the door, getting nothing for it, and too much of it, far too much of it, is getting into the hands of Liberal-friendly consulting firms and Liberal-friendly public relations firms who didn't have to go for a tendered contract, who got the contract handed out the side door. "Here's a few million bucks, and you don't have to produce anything worthwhile." That's the real problem, and this legislation doesn't deal with that in any way, shape or form.

**The Acting Speaker (Ms. Cheri DiNovo):** The member for Burlington has up to two minutes to respond.

**Mrs. Joyce Savoline:** You know, I always see it as a point of striking a nerve when the government begins to trivialize comments and make personal remarks, and that happened true to form just now with the member from Brant.

I would like to thank the member from Welland, the member from Brant, the member from Cambridge, and—where are you from?

**Mr. Howard Hampton:** Rainy River.

**Mrs. Joyce Savoline:** Rainy River—the member from Rainy River for their comments.

You know, trivializing comments on such an important issue really is unbecoming, and it shows the lack of ability to lead. My comments have been trivialized, and all I'm doing is representing my constituents, who are mad as hornets about what this government has done—and you can sit there and laugh. Go right ahead. But you know what? Just like in the Emperor's New Clothes story, this government has bared itself and shown its inability to lead. This is what all these scandals have

proven. They have trivialized the issue and they have trivialized the reaction from the people of Ontario, and you will have to stand up to that at some point.

This government has become irrelevant because they passed on so much, they're not doing anything anymore. They've delegated everything. It's not their responsibility.

You know, when a minister misbehaves, when something happens within a ministry that casts doubt on the ministry, the minister usually steps down. That's what historically has happened. But with this government, that doesn't seem to happen. The ministers just keep ticking. This government is oblivious to how to lead, it's oblivious to the public's reaction to this, and you will stand to account for it in two years, when we are at the polls.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Howard Hampton:** I'm pleased to be able to take part in this debate and I will attempt, in the 10 minutes I have, to shed some light on what I think are the real issues here, real issues that this government does not want to discuss. I said a few minutes ago that this government wants to pretend that this is just a matter of expense claims by people who may be working in the government. Well, it is far more than that, far, far more than that.

I want to take us back to just a few years ago, when it was discovered that the minister who was, I believe, in charge of citizenship—it was discovered that in fact money had been going out the door; hundreds of thousands of dollars had been going out the door to organizations that didn't seem to represent anybody. If you looked at the organization, you'd find that the head of the organization was the president of the local Liberal riding association, and the organization was getting \$30,000, \$40,000, \$50,000 grants. Another organization too, that you couldn't find where they'd ever existed before, what they'd ever done, but they claimed to represent a community organization, got some \$30,000, \$40,000, and the list went on. What emerged from it was that many of these organizations seem to be very friendly with the Liberal Party. They were either part and parcel of the Liberal Party or very friendly to the Liberal Party. Here they were, just before the election, getting large grants of money.

I think any reasonable person in Ontario would say, "This is wrong." In fact, when it was looked into more fully, that was the conclusion. I think the report that was issued said something to the effect that, "Never in the field of public finance had there been something that was so completely outside the rules and so completely improper." Members of the McGuinty government want you to believe that this rather slender piece of legislation is going to get at that kind of impropriety, but I want people to know that this legislation isn't going to do anything about that kind of impropriety. In fact this kind of legislation—I'm not allowed the use the word "cover-up," but no, I think I will use it. It's an attempt to cover up that kind of stuff.



I want to give another example. Before the 2003 election, an advertising company came on board with the Liberal Party and said that they would handle the major portion of the Ontario Liberal Party's campaign advertising and campaign communications and wanted next to nothing in remuneration. They didn't ask for the going rate in terms of pay. I think most people would have said, "Gee, is that ever generous," except that months following the 2003 election, this company gets essentially an untendered contract to redraw the symbol of Ontario, the trillium. So the trillium, something that had been in place I think for 20 or 30 years, changes into this new trillium, and lo and behold, the company gets paid a substantial amount of money for doing it. I would think it's improper that hundreds of thousands of dollars go out the door just for redrawing the trillium. But if you check back, the same company had handled the Liberal Party's advertising and communications pre-election and during the election. I would think there would be something wrong with that. The members of the Liberal government want you to believe that this legislation is going to get at that stuff. No, it isn't.

Another example: eHealth. The history of eHealth goes something like this. It wasn't always called eHealth; it was called Smart Systems. Then, in 2003, Smart Systems got down to work. They were supposed to build electronic records for Ontario's health care system. There's a report done which indicates that literally hundreds of millions of dollars had been poured into this with nothing to show for it. Now, I think a reasonable person would say, "Where was the Minister of Health while this was happening?" Where was the Minister of Health? The response that we essentially got from the McGuinty government is, "The Minister of Health saw nothing, he heard nothing, he knew nothing, and he wasn't smart enough to ask any questions."

1630

The McGuinty government wants you to believe that this legislation is going to get at that kind of irresponsibility as well. I have to tell you, this legislation is not going to do a thing about that, not one thing about the hundreds of millions of dollars that went out the door with no accountability, and a Minister of Health who can only say for himself, "I saw nothing, I heard nothing, I knew nothing, and I wasn't smart enough to ask any questions."

But it didn't end there. After this was publicly disclosed—and it wasn't disclosed by the government; it was disclosed by a lot of questions being asked both in this Legislature and outside this Legislature—the government comes out and announces, "We're going to put some new people in charge, and it's going to be called eHealth." Wouldn't you know it, the people who were put in charge are people who are all closely connected to the Ontario Liberal Party. These people got some wonderful contracts—untendered, but some wonderful contracts—for example, Sarah Kramer, who was hired. Officials in the Ministry of Health actually raised some questions about hiring this person, but that was overruled

by the Premier's office. The Premier's office overrules, and Sarah Kramer gets an untendered contract in the range of about some \$300,000, \$51,500 spent on office renovations, a \$114,000 bonus, and—after 10 months on the job, by the way, when they discover that this person's not up to the job—a \$317,000 golden handshake for 10 months of work that didn't amount to much. You work it out: That's close to \$1 million to this person who was very close to the Ontario Liberal Party. And what did this person produce? Zero, nada, nothing.

Members of the McGuinty government want you to believe that this legislation is going to do something about this. No, it isn't. The legislation that the McGuinty government has presented isn't going to do a damn thing about these kinds of insider, untendered contracts that go to people who are cozy with the Liberal Party.

But it doesn't end there; it goes on. There's another organization, the Courtyard Group. I think if you look, you'll find that some of the people who were at Courtyard Group were actually co-chairs of the Liberals' 2007 election campaign. Election campaign—they act as co-chairs; after the election—oh, let's see, a \$915,000 untendered contract for help with strategy, executive assistance and transition support. I don't think anything was produced, or not much was produced from that. A \$519,000 untendered contract to manage something called the diabetes project; and then, a \$562,296 extension of the first contract. These are, again, people who were cozy with the Liberal Party getting untendered contracts in excess of millions of dollars. And members of the McGuinty government want you to believe that their legislation is going to do something about this. It doesn't come close to it. It doesn't do a damn thing about it.

I expect that over the next few months, we're going to have other disclosures from people who are insiders from the Ontario Liberal Party, cozy to the Ontario Liberal Party, who got equally nice, big, fat, multi-million dollar untendered contracts. The legislation we have here today is not going to do a damn thing about any of that, and that's what the government is worried about.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** Unfortunately, the Liberals' standing orders have reduced the opposition parties' opportunity to engage in debate to a mere 10-minute time slot when there's so much to be said.

Last week, I was down at the Welland Farmers' Market—very active this time of year. The fall crops are coming in. You've got flower growers from Wainfleet, and you've got John Kukoly, the apple grower down from Ridgeville way. I've known John Kukoly for years; he taught me in elementary school. These are hard-working people. You've got women and men who make stuff at home. They make jams, they make jellies and they make pies. We've got butchers—guys like Joe Ujfalusy from down in Port Colborne, who's being hammered by this government's regulations as a small butcher, a small meat processor. It drives these people just right out of their minds that they work so hard, pay



taxes, only to see some high-priced government crony already getting a six-digit income, with all sorts of golden handshake provisions and golden parachutes, blowing \$3,713.77—don't forget the 77 cents—on one meal. Do you know how hard the vegetable grower from Wainfleet has to work to make \$3,713.77? I couldn't work that hard, I simply couldn't, I confess to you. But he and his family are out there working the dirt, taking risks with bad crops, like the cherry farmers down there who lost over 50% of the crop this year. This is just plain wrong, it's obscene, and the fact that this government hasn't stood up and been responsible is shameful.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Ted Arnott:** I enjoyed the comments of the member for Rainy River, who thundered in this House this afternoon with the views that he has brought forward in the past. He did a superb job, in my view, and I would want to associate myself with his comments. I thought that he had some very important points.

Certainly, in the six years that we've seen the McGuinty government in office, there have been many examples where Liberal-friendly organizations and contacts have benefited in ways that most people would view as inappropriate, certainly with respect to some of the consulting contracts that we've seen that the member for Rainy River talked about in his comments this afternoon, contracts in the hundreds of thousands of dollars going to Liberal-friendly consulting firms, in situations where there should have been competitive tender. In fact, in many cases some of the projects were very highly questionable.

Let's remember that this is taxpayers' money we're talking about. These aren't dollars that the Liberal Party has control over except for the privilege that they have of serving in government. I think it's important that we bring these examples forward so that hopefully the people of Ontario will become informed of what is happening here, which is, in my view, a disgrace.

No question, in every election campaign, there are people involved who support us, whether they be our campaign managers or campaign people who help us in election campaigns—help the central parties, help the local candidates. But that doesn't give those people the right to have an unacceptable claim on the public purse after the election in this way. Certainly, if they want to participate in support of the government, perhaps they could apply for jobs working within the ministers' offices and working within some of the other ministry positions that might become available. But these consulting contracts, where hundreds of thousands of dollars of the taxpayers' money are expended and absolutely nothing, or nothing meaningful, is done in response, is a disgrace, and it is something that we need to call the government upon.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments.

**Mr. Dave Levac:** I listened with interest to the member from Kenora—Rainy River, and there are a couple of

questions I'd like to ask him. Can you go through the review historically, since you've been here a little longer—almost to dean status, but we know that there are a couple of others that are there. I would ask if you had recalled any light being shone under the bushel of the \$600 million that the previous Conservative government spent on consultants, when we couldn't even get some information on who they were and what that money was for. And were there any others that you can enlighten us to?

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I would suggest respectfully that what I'm getting at, and I've been getting at since I've been engaged in the discussion, is yes, there's a cultural shift that's necessary. As we introduce these types of legislation, are we not putting a little bit of a light under a basket that wasn't there by simply saying that people are now going to be required to submit those bills and those expenses to somebody, when they were not doing it before? To trivialize it as simply not dealing with anything—I'm curious to see whether or not you believe that it is going to attempt to get to part of a cultural expectation that we now have and we always have had.

But historically, I'm a little bit concerned. That's what I was getting at in my last comments to the member from Burlington, who took offence to it, by simply saying there seems to be a common theme with the opposition, particularly the members of the loyal opposition, who are basically saying, "Bad you; good us." That's just the same old same old. It's very easy for them to start throwing stones from a glass house. What I'm asking about is whether or not we're ready to take this piece of legislation and turn it into something that sheds a light underneath a bushel. That's never been done before. I think that's a step. I'm not saying it's the be-all and end-all. I have not said it is, but you've characterized it as it is, and I'm saying to you, it is not the be-all and end-all. This place continually evolves legislation with a foundation that needs to be improved upon.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments? Being none, the member from Kenora—Rainy River has up to two minutes to respond.

**Mr. Howard Hampton:** I want to thank my colleagues for their remarks, but since one of my colleagues has asked some pointed questions, I think I owe him an answer.

I also think this legislation is wrong-headed in another way because what you're trying to do here is—and the effect of this will be to create even more scenarios where ministers will be able to say, "I didn't see anything, I didn't hear anything, I didn't know anything, and I didn't ask any questions." You are in effect doing away with ministerial responsibility.

I think I know why you're doing this in the short term; you're doing it in the short term for political damage control. But let me say this: I believe firmly that you're doing real damage to this institution when you do that. When you have situations—and let's roll back the clock to the Ontario Lottery Corp.—where it's in the media



that people are coming forward and they're saying, "Something's wrong here. I thought I had the winning ticket, but somehow I was told I didn't have the winning ticket and somebody else got the money," when you've got report after report after report going on for months and the minister of the day's response is, "I didn't see anything, I didn't hear anything, I didn't know anything, and obviously I'm not smart enough to ask any questions," that person shouldn't be a minister. But what you're really trying to do here is very much reduce that whole aspect of ministerial responsibility. I think one of the things you're going to end up with is even more public cynicism. Ministers should not be able to say, "I didn't hear anything, I didn't know anything, I didn't see anything and I'm not smart enough to ask"—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Further debate?

**Ms. Sylvia Jones:** I rise today to also speak on Bill 201, the public expense review act. Let me begin with some context on why we're debating Bill 201 this fall. Regardless of the economic circumstances, all taxpayers really want, in fact expect, is accountability from the officials they elect to represent them. They want to know that their hard-earned tax dollars are being put to good use in our hospitals, our schools and in our communities. They want to know that the programs that are put in motion now will benefit them and their families for years to come. They want responsible government. So we in opposition file a number of FOI requests to hold the government to account.

What we found this spring was disturbing. Our freedom-of-information requests unearthed many problems at a number of government agencies. Ontario taxpayers have been made aware of scandalous government spending, particularly from eHealth and Ontario Lottery and Gaming employees and contractors. Untendered contracts to Liberal-connected friends, lavish apartments, expensive travel, and a cup of tea and a cookie made up just a few of the expenses of eHealth consultants already being paid thousands of dollars per day by the taxpayers of Ontario. At the OLG, taxpayers paid for gym memberships and nannies, to name a few. At a time when families struggle to keep a roof over their heads, clothes on their backs and food on the table, this is unacceptable.

The announcement of this piece of legislation by the minister and the Premier has pre-empted the Auditor General's report on what went wrong at eHealth. Are the Premier and his cabinet really interested in accountability and integrity, or is this another knee-jerk reaction that is attempting to distract from their summer of scandal?

While I agree that something needs to be done to ensure that unscrupulous spending in government is eliminated, I do not believe that dumping the responsibility in the hands of the Integrity Commissioner is the way to go. The Office of the Integrity Commissioner already has a lot on its plate. They are responsible for vetting ministers' and opposition leaders' expenses, ministers' staff ethical conduct and members' integrity, to name a few.

To place this added responsibility on the backs of nine staff members is unreasonable. If you think about this realistically, if the employees of all government agencies were to submit their month-by-month expenses yearly to the Integrity Commissioner, then there would be over one million expense reports to vet. What makes it harder is that the Office of the Integrity Commissioner, as I said, is an office of nine staff. How is an office of under 10 people expected to do all of this work? Does the government intend to hire more employees to work in the integrity office? Again, this will be the burden of the Ontario taxpayer. Does McGuinty plan on hiring people to deflect the attention off himself and his cabinet ministers?

Taxpayers should be able to trust that the ministers who oversee these government agencies are ensuring that taxpayers' money is being spent in the best and most productive way possible. Under the proposed Bill 201, the ministers will have another layer of deflection. Instead of being responsible to Ontario taxpayers, they are lumping the responsibility on to the Office of the Integrity Commissioner. With this piece of proposed legislation, Premier McGuinty is delegating responsibility to another commission when in reality the buck should stop with his ministers and ultimately with him.

Premier McGuinty has not taken responsibility for the actions of his cabinet ministers. How many more scandals have to be uncovered before action is taken? How many more freedom-of-information requests have to be filed? Why does Premier McGuinty continue to cover up for his cabinet ministers? The Premier insists on continually deflecting responsibility elsewhere. First it was the cancelled third party review by PricewaterhouseCoopers—a review that was never started in the first place, as we found out this summer—then it was handed off to the Auditor General, and now the Premier wants to shift responsibility to the Integrity Commissioner. Is the Premier just creating this new bureaucracy to deflect responsibility and avoid the all-party committee review of the spending scandals at the OLG and eHealth?

This makes me wonder, is this just an attempt to distract Ontario families from the summer of scandalous spending that we read about? Instead of accepting direct responsibility for himself and his cabinet ministers, yet another bureaucracy is being created. This smokescreen that the McGuinty government is creating is a case of closing the barn doors after the horses have run away. The runaway scandals at eHealth and OLG have been exposed. That money will never be returned to the taxpayers of Ontario because the Premier and his ministers have done nothing to get the money back.

This legislation detracts from the bigger picture. The bigger picture is that the money is spent and Ontario families are no further ahead. While McGuinty passes the buck, Ontarians fall behind. This legislation suggests that Premier McGuinty cannot control the carefree spending of his ministers. This legislation suggests that the Premier cannot trust his ministers to oversee the ministries they are entrusted to review.



If the Premier really wanted to be accountable and stand up and take responsibility for what he and his cabinet ministers have done, they could have followed through with the third party audit from Pricewaterhouse-Coopers that they promised Ontarians they would do in June. They could have supported opposition calls for an all-party review into the spending at eHealth. The Progressive Conservatives continue to insist that an all-party committee be formed in the House to review the eHealth and OLG scandals.

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Premier McGuinty's cabinet ministers are appointed because he believes they're up to the challenge of leading their individual ministries. The Premier appoints heads of the agencies, boards and commissions to be responsible for these major groups. Why can these so-called trusted people not be responsible for their own spending? By not directing responsibility to the people Ontarians elect to give this responsibility to, you are letting down the voters. You are sending the message that it's okay to spend out of control. But instead of making these people accept responsibility for taxpayers' dollars, you are saying, "It's all right. No big deal. Just try not to do it again."

The Premier does not think his ministers and senior appointees are up to the job. Then why do they still have those jobs? Under the McGuinty Liberals, billions and billions of taxpayers' dollars have been wasted. How come there have been no consequences to the McGuinty cabinet ministers? Why does the Premier insist on shrouding the ministers behind this piece of legislation? Is there more to hide?

The Progressive Conservative Party believes that Ontarians should see how their tax dollars are spent. That is why we created the sunshine list, which lists every government employee in the province who earns more than \$100,000 per year. This is a transparent way for taxpayers to see their tax dollars and how they're being spent, every year on April 1.

At eHealth, almost \$7 million was spent on outside consultants over the last two years, even though they had over 160 staffers already making at least \$100,000 a year. If there was so much work to be done with eHealth that they needed to bring in all of these additional outside consultants, where is the progress on eHealth? Again, we are lagging far behind in comparison to other provinces that already have electronic health records. With all those funds being spent on salaries, where is the work to show for it? Where are the results?

Premier McGuinty is showing that his ministers do not have to accept responsibility. It is distressing to Ontario families, when jobs are hard to keep and harder to find, that the government they elected would be so wasteful with their hard-earned dollars. Now they have to work harder than ever while their executives use public dollars to pay for their nannies, gym memberships, apartments, afternoon snacks and their wining and dining. Why do we even need a separate review board to vet the expenses of these board officials? Shouldn't their responsibility to

the public be enough to encourage them to be ethical with public dollars?

Only 22 agencies, boards and commissions under the Ontario government have been listed as targets for the Integrity Commissioner. What about the other agencies, boards and commissions? Are these 22 considered problem agencies by the Premier, or is there something else going on with the other almost 600?

The bottom line is that responsibility should not have to lie in the office of the Integrity Commissioner; it should lie with the people Ontarians elected to represent them here in the Legislature. Responsibility needs to start at the top and work its way down. If the Premier is not up to the task of accepting responsibility for the scandals created by this government, then why would Ontario taxpayers feel that their tax dollars in every other program are being well spent by the McGuinty Liberals?

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Norm Miller:** It's a pleasure to add some comments to the member from Dufferin-Caledon, her speech on Bill 201, which is An Act to provide for review of expenses in the public sector.

She talked about why this bill is being debated. The question I would have to ask is, what would have happened had the PC Party not made freedom-of-information requests back in January, of OLG and eHealth? Would we be debating this bill at all today? Because it was only through a lot of persistence on the part of the PC Party doing the freedom-of-information request—the government doing their best to delay giving out any information at all—that the excessive out-of-control spending at eHealth, things like the \$2,700 a day on untendered contracts; \$16 million in untendered contracts for consultants, many with ties to the Liberal Party; a \$25,000 speech for the CEO of eHealth, Sarah Kramer—I don't know how anybody can defend that; I hope it was a good speech. The expenses at the OLG like \$3,800 for a meal that included a lot of alcohol—you'd think this government, after six years, would have a rule that there's no alcohol to be paid for unless it happens to be the Queen coming on a royal visit and we buy wine for her, something like that. Why has it taken so long?

My question is, what would have happened had we not done those freedom-of-information requests? I don't think we'd be debating this bill, which is a pretty thin bill; it's all of a couple of pages. It basically shifts the responsibility over to the Integrity Commissioner, an office that has nine employees and is really, I think, going to be overwhelmed having to look after 80,000 employees' expenses at the 22 larger boards and agencies.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Bill Mauro:** I'm pleased to respond to the comments from the member from Dufferin-Caledon. I'll begin by referencing that there seems to be a bit of an inherent contradiction in a couple of comments that the member has made, not only by her but, I would suggest, other members of the official opposition. In her remarks she first listed as a cause of concern the fact that there



would be an expense associated or a difficulty within the Office of the Integrity Commissioner with the ability or financial capacity with which they could address the requirements that would be upon them should this legislation pass, in terms of managing these claims that would have to be filed by the 22 largest agencies and the senior management people within those agencies.

Then they go on to say, and not only the member from Dufferin–Caledon but others in the opposition party, “What about the other 630 or so agencies that are out there that are not subject to the legislation?” I guess my question to the member is, are you suggesting you want all 630 to be subject to this particular piece of legislation or just the 22? If you do want the 630, are you willing to commit the resources that in the first part of your comments you didn’t seem like you wanted to see committed? I’m not sure where we are on that one.

I have to say that the legislation continues to be positioned by the opposition parties as a first and only step by our government since we’ve come into power in 2003. That, of course, is not the case. There have been significant and frequent pieces of legislation that we brought forward to enhance transparency and accountability in the province of Ontario for the people of Ontario and the taxpayers. Freedom of information has been significantly enhanced in terms of the agencies that are now subject to it.

Value-for-money audits: I continue to talk about this one because I was stunned when I found out about it. For the first time in the history of the province of Ontario, value-for-money audits, as a result of an initiative by our government, are now going on in hospitals in the province of Ontario—that’s never happened before—and the expansion of this same function to Ontario Hydro, OPG, Hydro One and other agencies and sectors that never before had FOI or transparency and accountability measures attached—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Question and comments?

**Mr. Toby Barrett:** I still remain unconvinced of the need for this piece of legislation, the Public Sector Expenses Review Act. I don’t know whether this is somewhat of a red herring or an attempt to change the channel coming hard on the heels of the summer of scandal, as it is now known, with respect to not only OLG, the Ontario Lottery and Gaming Corp., but also the misallocation of funding with respect to eHealth.

It’s clear that the shuffling and the firing of administrative staff and CEOs in the wake of each scandal is not going to fix the lack of leadership that we see within this particular Ontario government. It is time, it’s well past time, for a cabinet minister—at least one cabinet minister—to show some accountability. I think it’s time to really call the government on this charade, this knee-jerk legislation and this kind of lacklustre—almost slack-jawed—attempt to quell voter anger with respect to what has gone on this summer.

I think I have time to quote opposition leader Tim Hudak, again, following the sentiments of Robert Baldwin—

**Mr. Dave Levac:** What year?

**Mr. Toby Barrett:** Well, we can go back 160 years with Robert Baldwin. As far as Tim Hudak’s quote, that is this year: “I actually believe in ministerial accountability. The buck stops at the minister’s desk. If the minister can’t set the tone how the lunch money is spent, how do we expect them to oversee hospitals, highways or schools in our province?”

1700

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Ted Arnott:** I’m pleased to have a chance to respond to the member for Dufferin–Caledon, who spoke very eloquently and well in her presentation this afternoon on Bill 201. I’ve known the member for almost 15 years, I would think, going back. She has played an important role within our organization for a long time, but I think it’s next week she will observe the second anniversary of her election to the Legislature, coming in in 2007, and I would want to pay tribute to the excellent work that she does on behalf of her constituents, day in and day out, and on behalf of the people of Ontario. The speech that she gave today was a good example of the outstanding contribution that she makes in this place.

I want to ask her a question about the bill. When I review the bill—and I’m hoping to have a chance to speak to the bill in further detail this afternoon—reading through the bill, as it was pointed out, it’s only five pages long. The government has indicated that these new responsibilities that would be given to the Integrity Commissioner if Bill 201 passes would allow the Integrity Commissioner to review the expenses of 22 of the government’s biggest agencies, but interestingly, there’s absolutely no reference to any of the 22 agencies in the bill. I don’t know if members are aware of that, but there’s absolutely no reference to any of the government agencies in the bill. So, once again, we’re asked to take this government on faith, we’re asked to trust this government to say that the public statements that have been made by the government are going to happen. Of course, we know that there are nine staff at the Office of the Integrity Commissioner, and for 22 agencies to have all of their expenses reviewed by nine staff—we’re talking tens of thousands of expense claims—we know that it can’t be done.

So again we come back to our basic premise that the opposition has put forward this afternoon. This bill is more about smoke and mirrors and public relations than anything else, and I would ask the member for Dufferin–Caledon, does she agree and would she care to comment on that aspect of the debate?

**The Acting Speaker (Ms. Cheri DiNovo):** The member for Dufferin–Caledon has up to two minutes to respond.

**Ms. Sylvia Jones:** Thank you for the comments from the members from Parry Sound–Muskoka, Thunder Bay–Atikokan, Haldimand–Norfolk and Wellington–Halton Hills.



First I'd like to deal with the member from Thunder Bay—Atikokan. For me, Bill 201 is about responsibility. If we are not willing to accept responsibility for our budgets, whether we are MPPs, or parliamentary assistants, or ministers, or heads of agencies, boards and commissions, then we shouldn't be in those positions. So come right back to, "Why are we here, what are we attempting to accomplish, and whose money is it anyway?" because it's not ours. We are the keepers of the taxpayers' purse; it is not ours.

In terms of the question from Wellington—Halton Hills, I've actually known you for 17 years, so there we can do the math. But it comes back to many of the issues that I have with the government legislation that's coming forward since I've been here for the last number of years, and that is so much of the detail is left to regulation which, of course, is not open for debate and not open for that wonderful public scrutiny and transparency that, while the Liberals talk about it, I'm not sure they actually implement as well as they say they do.

I would like to see ministers of the crown be responsible for the agencies and the boards under them. That, to me, is a basic tenet of the responsibilities that you take on when you accept that ministerial role. If you are not up to that job, then get out of the way and let someone else do it, because it is my opinion that the taxpayers expect us to be very judicious in how we spend the money and that it is being effectively used for the benefit of all Ontarians.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Rosario Marchese:** I just want to welcome the citizens and the taxpayers to this political forum. We are on live, and it's 5:05, and it's Monday.

It's good to have this opportunity to speak to Bill 201. I want to say from the outset, I didn't get to hear too many speeches, but I have to admit that I agree with some of the comments made by the member from Dufferin—Caledon, comments made by my friend from Toronto—Danforth as well, in terms of, who is ultimately responsible for all these boards, agencies and commissions in the first place? It's got to be the ministers. If the ministers of the crown were doing their job, we wouldn't have Bill 201. The fact that we have Bill 201 to debate is an indication of failure of the government to do its job. That's really what it is. They can't say it. They don't want to say that they have failed in their ability to oversee all these boards, agencies and commissions adequately. They can't say it, so their way of saying it is, "We're introducing Bill 201."

You've got my colleague from Thunder Bay—Atikokan giving us the reductionist argument or the reductionist proposition, are you in favour or are you against? For him and the members of the Liberal government it's that simple: Are you in favour or against? They will not admit that they have failed in their oversight responsibilities. They can't admit that. Would that they could, because that would be the thing to do. But if you did that, you would be accepting responsibilities for a problem that you don't want to accept, and if you did that, you might

say, "Gee, we might have to fire a couple of ministers." But you couldn't do that, because if you did that, you would be admitting failure, and failure of oversight. So you can't do those things, and it's sad.

**Mr. Pat Hoy:** A rock and a hard place.

**Mr. Rosario Marchese:** It shouldn't be between a rock and a hard place. It should be, do the job.

If you look at all the ministers, and having been one I remember how many staff; we've got lots of staff—sometimes more than we need, I have to admit—that work for the minister. There are many staff, yes, with a multitude of responsibilities, but one of those responsibilities ought to be, who is watching the boards, agencies and commissions? Who's doing that? The answer is, nobody.

Part of what we have witnessed, over the longest while, in terms of what we have seen over the spring and summer, with all those indiscretions with so many workers, so many people working for our government and those consultants working for our government—stupid little things: the Choco Bites, the \$30 car wash and the Tim Hortons for \$1.65, but that's what people get riled about. They get riled about the little things. Would that they get riled over the huge economic fiasco that has been unleashed upon the world, upon Canadians and Americans, those who control the levers of power, the economic power, in a way that affects our daily lives, in the way that it affects and destroys those meagre pensions some people got. Would that they have the same anger directed toward those who invest our money in a wilfully wrong way, and that we could put them to justice so that we could feel good about making sure that those who perpetrate such crimes against so many common folks who just earn a basic living, just working hard, day in and day out, put aside a few dollars—and overnight their pensions get wiped. Would that they had the power, the will, the desire to go after them in the same way that we go after the tidbits, the doughnuts, the coffee, please.

There is bigger stuff. There are untendered contracts here that our party has been after. We know that at the Ontario Lottery and Gaming Corp. there have been many contracts that simply have been given out on the basis of whom you know. They were not tendered. That's egregious in my mind. That is egregious. That's bigger than the tea and the coffee and the tidbits—not as big as the economic scandal waged against all of us across the globe, not as big, but I've got to tell you, untendered contracts are big enough for me to worry about. It shouldn't be happening. A simple directive from a minister saying, "This cannot happen, will not ever happen again," would do it, would have done it. But none of the ministers do this sort of thing. You don't do that simplest of things. Why?

**Mr. Dave Levac:** How do you know?

**Mr. Rosario Marchese:** How do we know? We've asked for them? We haven't been able to get them. We haven't been able to get all the untendered contracts that were given out throughout all of these years. We haven't



been able to get them. We've asked for them. And I suspect that the minister knows, but he don't tell. He don't want to tell, he don't want to say, because if he did, it would be to admit that we've got a serious problem in government. So what you have done, as a political expediency measure, is allowed an act that enables the Integrity Commissioner to review the expense claims of senior employees and appointees of the selected public bodies, and then you hope that it will go away.

1710

I'm not sure how many people the Integrity Commissioner is going to be able to hire; I don't know what budget you've given him. But if the Ombudsman is any measure of what you're giving him, it's not going to be a whole lot. Would that you had given more power to the Ombudsman to scurry about, to lift the carpet every now and then in these boards, agencies and commissions and find real abuse. That would be good; that would be nice. Would that you gave the Ombudsman that kind of power to clean up the act in so many places that you as ministers and you as a government are responsible for, but you won't do that. You don't want to do that. You don't want to give the Ombudsman the power, because every time he releases a report, you quiver with fear. Rather than accepting a report from the Ombudsman as an opportunity to say, "We are clearing the way. We're finding the right way to deal with things. We're letting him, as an unleashed dog, go out there and find every dirty little secret that's going on in every ministry, and in every board, agency and commission"—rather than saying, "We're happy to do that," you don't want to give him that power. You're afraid. You're all afraid.

In fact, we're all afraid; all governments are afraid. The Tories were afraid, and I've got to admit that we were afraid too. I remember telling one minister friend of mine about things that I heard in the Ministry of Housing: "That should be looked after," and she said, "Do you have any proof?" I said "No." "Well, that means we can't do anything." And rather than saying, as a minister, to the civil servants, "I hear there is something going on in the ministry that is unacceptable, that there's somebody getting a whole lot of jobs to build that public housing who shouldn't be getting those jobs, and I hear there's manipulation of numbers in this ministry, and if I catch anyone with that problemo, you'll all be fired"—that's all the minister has to do. You send a message to those that you administer, that you govern, for which you have oversight, that this is unacceptable and it will not go on, and if you find it out, you will fire them. That's all you need to do, and the job would be done because fear would be engendered, fear would be inserted in the bureaucracy, wherever it is, and such a fear would force people to clean up their act. That's all you have to do as a minister.

Do we need another big bureaucracy to do it? Because I've got to tell you, you're going to have to give the Integrity Commissioner a whole lot of people to do this job, a job that you ministers should be doing. You do not admit, you will not say what that number will be, but

unless you give them the numbers, this is not going to go anywhere. They're not going to be able to do the job well—a job that you, the government, should be doing on your own, a job that ministers have a responsibility to do. That's all you have to do. That's all you really need to do.

If you don't want to give the Ombudsman that power, I understand. I made the argument that you should. But if you're going to give the Integrity Commissioner this job—and I know that it's political expediency; I understand it, I really do—I hope you give him some workers to do the job adequately, otherwise it's going to look bad on you. You know that, right?

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments.

**Mr. Dave Levac:** I appreciate the opportunity to respond to the member from Trinity-Spadina. As always, his usual passionate self presents, in a 10-minute speech, a strong picture of the direction he believes that the government has gone and that previous governments have gone. And some of the concerns that he laid out—which is what I've been asking for: an acknowledgement that this is not a singular problem. This is a problem that actually has historic ties, and some people who have been standing up and beating their chests and gnashing their teeth have not remembered very much of their past history. So I'm glad that you are at least able to acknowledge that this is an ongoing issue.

The second thing: Your seatmate, the member from Kenora-Rainy River, believes that this legislation is going to actually make it even worse. I don't necessarily subscribe to that, but I wanted to be on record to explain to him that what I believe we're trying to do is to shine a light under a bushel basket that hasn't been shone before, in terms of an expectation for that particular group of people named in the bill who are now going to be responsible for answering that concern that's being raised.

As for political expediency, I don't necessarily subscribe to the idea that everybody responds, on an ongoing basis, to politics. The politics part to this, as I've pointed out, from both sides, has been that we're hearing the speaking notes from Her Majesty's loyal opposition, which keeps repeating over and over again the same line that has nothing to do with—the same points.

*Interjections.*

**Mr. Dave Levac:** You'll see how every time you say something like that, they're just doing what they're supposed to do, but conveniently forgetting their history. So I'm glad that the member stayed focused on exactly why we're trying to attempt to get this done.

This is a cultural change; I'm not going to deny that. I'm also not going to deny the fact that there are some things that are ridiculous that shouldn't have been done. We're going to get to the bottom of it, but we're going to offer a piece of legislation that I honestly believe is one more step in that evolutionary chain that gets us to better spending of taxpayers' dollars.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?



**Mr. Robert Bailey:** I'd like to take a moment to comment on the remarks of the minister—or the member from Trinity–Spadina; a former minister, I guess, in another government. He touched on a lot of issues that we on this side of the House have as well, talking about whether there should be accountability in the ministers themselves, that if they and their staff were doing their jobs like they were supposed to do, then we wouldn't have to burden the Integrity Commissioner with this additional work. They're going to have to provide staff and money for staffing and things like that, and the Integrity Commissioner has work that he has to do already. He's responsible for a number of different issues: members' integrity, lobbyist registration, review of ministers' and opposition leaders' expenses, the ministers' staff and ethical conduct, and the public disclosure of wrongdoing. So that office, the Integrity Commissioner's job, already has a burden that they have to do.

Again, to touch on a number of other remarks that were raised by the member from Trinity–Spadina, plus other members of the House: If the cabinet and the Premier would do their jobs, these people should be accountable to the cabinet and to their ministers. I worked in industry before I joined here, and I know that my boss—in that case, I had expense accounts that I was accountable for. I knew what I could expense. I had people who worked for me and we knew what our roles were, what our responsibilities were, and if you got out of line, you could be expected to be called to account for that. So to foist this off on another individual, another branch of government, another agency of government, is just a way to be able to say, “Well, we're doing something in this regard, and if somebody missteps, they're looking into it. We don't know anything about it.”

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** I think it's incredibly important to make a distinction between legal accountability and political accountability. Here in this chamber we're concerned with political accountability and the absence of it. There may not have been any crimes committed—although there are crimes and then there are crimes, and down where I come from, people say it's a crime that some high-priced OLG vice-president can bill the taxpayer for \$3,700 worth of high-end steak and martinis.

I go to the seniors' centre in Welland, the Rose City seniors' centre, for lunch and activities they have afterwards, and I see those people. Some of them are former Atlas Steel workers who got ripped off for their pensions. You see, the government of the day didn't give a tinker's damn about Atlas Steel as it was shutting down, or about their pension plan. So they're stuck with the \$1,000 cap that Dalton McGuinty persists in terms of the pension benefit guarantee fund—steelmakers, steelworkers. Did you ever walk around one of those catwalks on an arc furnace, the bubbling molten steel leaping up at you, burning holes in your coveralls? Pretty scary stuff; pretty demanding work. They're in there stoking it and ladling it.

1720

These men and women—and I've known so many of them since I was this big—have worked so damned hard and now are surviving on \$1,000 a month—because that's the cap under Dalton McGuinty for a bankrupt pension plan—plus a few bucks of CPP and old age security, and they just shake their heads at this government's failure to give effect to political responsibility.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Bob Delaney:** Let me pick up on a comment that my always eloquent colleague from Welland made. He said, “There may not have been any crimes committed,” and that's true, so why are we here? We are here because in our first term of government, we looked at these agencies and said no one has ever shone a light in here. No one has ever said, “You can go in and you can have a look at it,” and we think that that's overdue.

To their credit, the opposition have done that. They've asked through freedom of information, “Show us what's going on. We're here to make Ontario better.” You're not going to hear anybody from any of the three parties saying that this legislation shouldn't be passed. It should.

We look at this and we say, “This is your money, and it bothers us. It bothers us that someone who, by virtue of their charter, being in an agency, a board or a commission, has what amounts to a monopoly on some aspect of our life. We do this because in a small jurisdiction like Ontario we need the service, the thing, the function, that these agencies, boards and commissions do. But they have to recognize that this is the taxpayers' money and they can't go out and say, “Well, we're going to behave like investment bankers”—because you're not investment bankers. You have a nice little niche and it's protected by the government of Ontario, and we expect that you're going to take the province's money and behave with it responsibly; behave with it the way each and every one of us would expect to handle money within our companies, or within our budgets, the money that we spend.

That's what this legislation is aiming to do. This legislation is aiming to say to those people within our agencies, boards, and commissions, “For however many hours this Legislature beats up on you, you cannot do this. If you're going to spend the public's money, you're going to have to spend it cautiously, carefully, prudently, and wisely.” That's what this legislation will do. This legislation gives the Office of the Integrity Commissioner, and whatever people that she in her wisdom choose to hire, the ability to shine a light and look at expenses that have heretofore gone unexamined.

**The Acting Speaker (Ms. Cheri DiNovo):** The member from Trinity–Spadina has up to two minutes to respond.

**Mr. Rosario Marchese:** I'm not sure that this bill is going to deal with the problem identified by the member for Welland, one of those speeches someone was paid \$25,000 to write. That hurts people like me and it hurts the unemployed, and it hurts the part-time workers. It



even hurts people who have to work for a whole year to earn \$25,000. No speech is worth \$25,000. There's not one speech that is written in this place for anyone—minister or Premier—that is worth that kind of money. It's just crazy. This bill is not going to correct that.

When I think about the poor taxpayers, particularly those women and men working real hard, those women and men struggling to get back into the workforce and the only thing they can find is part-time or no job at all except welfare and unemployment insurance while it lasts—when you think about them and then you think about what Bill 201 does, is it going to help them? No. It's going to burden them some more. This bill is going to have to provide more and more workers to the Integrity Commissioner in order to be able to do the oversight, all these expenses and the like, that the government should be doing. It will become an additional burden on men and women who are working and not working, all to protect the image of the government in its failure to do its job—its failure for political accountability, because that's what it is. They're going to shrug it off to a body that they will say is going to do the job. "You can all go home and feel comfortable. This job will be done now. Go home, you, the unemployed. Go home, you the hard-working folks because everything is okay now."

And those speeches that cost \$25,000 and those untendered contracts—who knows whether that will ever be solved. This bill will not solve that.

**The Acting Speaker (Ms. Cheri DiNovo):** Further debate?

**Mr. Ted Arnott:** I'm pleased to have this chance this afternoon—almost 5:30 in the afternoon—to debate Bill 201. Our caucus has had many, many things to say about this bill today. I'm rather surprised; perhaps the government members weren't aware that there was a rotation and they perhaps would have had the chance to speak to the bill. It went around the House and came back to the opposition, so I am glad to have this chance—

*Interjections.*

**Mr. Ted Arnott:** —although I would have appreciated hearing from one of the government members who would have wanted to stand up, I'm sure, and defend this bill and defend the government's policy in this respect.

The member for Trinity-Spadina talked about the \$25,000 that was expended by the taxpayers of Ontario, courtesy of the Liberal government, to pay for a speech that someone at eHealth gave. I want to assure all members of this House that \$25,000 was not spent on this speech or any other speech that's coming from the opposition side this afternoon.

I'm sure that some of my constituents may be tuning in this afternoon to follow the debate that's taking place in the Ontario Legislature—I hope some are—and I know that many would wonder why I'm not talking about the need for a new Groves Memorial Community Hospital in Fergus, something that I continue to advocate, wanting to know why the Ministry of Health is refusing to allow us to move forward with our planning. They

would want to know why I'm not talking about the CT scanner that's needed in the Georgetown Hospital. They would want to know why I'm not raising the issue of the Highway 6 bypass that has been talked about for about 30 years around the community of Morriston in the township of Puslinch. And they would want to know perhaps why I'm not talking about the need for the extension of the GO trains from Georgetown to Kitchener-Waterloo, through Guelph and the community of Acton in Wellington-Halton Hills.

These are issues that I would want to talk about extensively and that I'm going to continue to talk about over the next two years of my mandate here, but the rules of the House compel me to talk about Bill 201, the Public Sector Expenses Review Act, which was presented in the Legislature for first reading on September 16. This bill was called for second reading the very next day, so it didn't give us an opportunity to consult very widely with people in the province of Ontario, but our party was—I know the member for Kitchener-Waterloo was the first one up to talk about the issues around this bill.

Of course, when I knew I was going to have the chance to speak to this bill this afternoon, I had a chance to review it and look at some of the comments that had already been made. I was struck by the fact that even though the government claims that 22 of its most significant and biggest government agencies are going to be subject to this bill, there is actually no reference to any of the 22 agencies in the bill. So we're expected to take this on faith, that the government is going to proceed in this regard. The government claims that the new rules regarding expenses and the review by the Integrity Commissioner will apply to the Ontario lottery and gaming organization; Ontario Power Generation; Hydro One; Independent Electricity System Operator; Ontario Power Authority; WSIB; LCBO; eHealth; Cancer Care Ontario; Ontario Infrastructure Projects Corp., which is otherwise known as Infrastructure Ontario; Ontario Energy Board; Alcohol and Gaming Commission of Ontario; Ontario Financing Authority; Ontario Realty Corp.; Ontario public service pension board; GO Transit; Metrolinx; Toronto Area Transit Operating Authority; Ontario Human Rights Commission; Metropolitan Toronto Convention Centre Corp.; Ontario Educational Communications Authority—TVO/TFO; Ontario Racing Commission; Ontario Clean Water Agency—22 commissions.

We know that the Integrity Commissioner, who, if this bill passes, is going to be empowered to review the expense claims of these 22 commissions, has nine staff. All of us, as MPPs, have a chance to visit the Integrity Commissioner once a year. My meeting's coming up soon; I look forward to it. It's an opportunity to discuss with the Integrity Commissioner our financial disclosures that we have to give the Integrity Commissioner, by law, under the Members' Integrity Act, to disclose all of our assets and all of our liabilities. So there is a review of that. But to add this responsibility to the Integrity Commissioner now will necessitate and compel, if indeed the government really does what they're going to be em-



powered to do if this bill pass, which I question—if they in fact do this, it will require a massive expansion of the Integrity Commissioner's office, a massive expansion of staff. We know that. Hundreds of thousands of expense claims are going to have to be reviewed and nine people, who already have significant responsibilities in terms of members' financial statements and follow-up meetings and so forth and other responsibilities, will not be able to do this in any meaningful way. So we have to question the government's sincerity in terms of the statements that they've made surrounding this bill.

1730

I know that the member for Brant is getting somewhat tired of the comments that are coming from our side in terms of the statements we've made, but just to make sure that he's heard the position of our party, I'll restate it: Our party respects and supports the work of the Integrity Commissioner. We are confident that the commissioner will have a role to play in ensuring accountability. We also continue to insist that an all-party committee should be reviewing the eHealth and the OLG spending scandals. With this accountability legislation, we believe that the Premier is trying to delegate integrity to somebody else, and we feel that integrity should be demonstrated from the top; in other words, from the Premier.

The Premier's announcement in this respect, in this bill, just before the House resumed sitting, was an attempt to pre-empt the Auditor General's report on what went wrong at the eHealth agency. We would question whether the Premier and his cabinet are really interested in accountability and integrity or if this is just another knee-jerk reaction that is attempting to distract from what we have called, and what the media are now calling, their summer of scandal.

We believe that the job of the Premier is to ensure that there is accountability to the people of Ontario and that his cabinet and his government must be accountable. Unfortunately, what the Premier is doing with this bill is shifting responsibility elsewhere, to a third party review, which was cancelled, to the Auditor General and now to the Integrity Commissioner. We would question—is he saying that his ministers are not capable of overseeing aspects of their ministries or agencies that report to their ministries, which they in fact should accept responsibility for because they are the ministers? That's our system of responsible government.

We would question the cost of this bill. The government should really table a cost analysis, and of course we haven't had one of those. How can nine staff from the Integrity Commissioner's office oversee expense accounts of 22 agencies representing hundreds of thousands in expense claims? We would question, again, is Premier McGuinty creating a new bureaucracy to avoid an all-party committee having direct responsibility for reviewing the eHealth and OLG scandals? I think we've made the case that in fact that is what is happening here.

We would question whether this added challenge detracts from the work of the Integrity Commissioner in

the five existing areas of responsibility, those being members' integrity, lobbyist registration, review of ministers' and opposition leaders' expenses, ministers' staff ethical conduct and the public service disclosure of wrongdoing.

Finally, our caucus would ask, how do we know that this government will follow through on its promise? It already promised the House an investigation by Price-waterhouseCoopers into eHealth, and we were led to believe, of course, that that was happening, that Price-waterhouseCoopers had been engaged to do this investigation, when in fact that was not the case.

Again, our caucus has raised the concern about the fact that the Minister of Government Services has introduced this bill. I would say again—and I know it annoys the government members to hear this, but they need to be reminded, apparently—that in 2006 the Integrity Commissioner of the day criticized and condemned the Minister of Government Services, and of course you would expect that the minister would have resigned or that there would have been some sort of consequence because it was a highly unusual thing. There had been a number of complaints to the Integrity Commissioner about members' conduct through the past number of years, and in some cases members have been investigated by the Integrity Commissioner and then exonerated. Certainly in the time that I've been here there have been many ministers who had to resign their cabinet positions because of a transgression of some sort, or the allegation of a transgression, until it was investigated. That has happened over the last number of years that I've been here. But certainly in the case of the current Minister of Government Services, even though he was condemned by the Integrity Commissioner, nothing happened.

I think it's important to point out that Bill 201 most likely would not have been introduced were it not for the fact that our party some months ago, when John Tory was the leader of our party and when Elizabeth Witmer was the health critic for our party, initiated a significant number of freedom-of-information requests to try to shed, to use the terminology the government members are using, the light of day under the basket of what was going on in some of those agencies. Certainly the government would not have wanted to divulge this information. In fact, they delayed the release of these freedom-of-information requests as long as they possibly could. But in the information that we received when those freedom-of-information requests came back were many examples of questionable expenses at OLG, including some of the ones that have been brought out this afternoon—the gym memberships and so forth—and the contracts that were let without competitive tender at eHealth, leading to the summer of scandal.

Again, I take no pleasure in having to put all of these comments on the record, but we have a job to do in opposition: It's to hold this government to account. Their behaviour and their performance in this regard have been lacking and we must continue to draw the public's attention to it.



I look forward to the continued debate on this issue and hope that we can be persuasive—

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Peter Kormos:** A good speech, of course, from the member. Now, there, he took the express route. He got right to the point without any embellishment. There's nothing wrong with that, but really, it loses some of the colour.

Now, I had occasion earlier today in all sincerity to thank, commend and congratulate the parliamentary assistant for performing his job, which is a custom, a convention here. If the minister isn't available, that's why he or she has PAs. The parliamentary assistant, who is stewarding a bill through the process, remains in the chamber while it's being debated. To not do so shows scorn for the process, indifference for the views of honourable members like Mr. Arnott. For the life of me, maybe the world's just changed; maybe Mr. Martiniuk and I are just two grey-haired old fellows who are out of touch. But for the life of me, I wish people would talk to the government PAs—some are very good at it, and I commended him earlier today. And I was sincere; I wasn't being trivial, I wasn't being facetious, I wasn't trying to mock him. I mean, it's been a long afternoon. My ADD has kicked in, too; I understand. But for the PA to walk away from the debate is shameful performance—

**The Acting Speaker (Ms. Cheri DiNovo):** I just ask the member not to refer to a member who's not in the chamber. Thank you.

**Mr. Peter Kormos:** Not to refer to the PA's absence? Of course, I don't want to refer to the PA's absence; I want to point out that I commended him for being here a little while ago, and I can no longer commend him—shameful.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Bob Delaney:** It's the second time in a row I have followed my friend from Welland. I just wanted to put a rhetorical question to him with regard to his reference of parliamentary assistants: Has the member come to praise Caesar or to bury him?

To come back to the point, many of the members opposite, when they had the privilege of forming government, we felt didn't do this particular job. The voters have passed their judgment on them. Those who are left we consider to be our friends and our colleagues in this Legislature, and we have no problem with the opposition doing the job that our government made it possible for them to do. They're there to use freedom of information and to dig around in agencies that had hitherto not been subject to freedom-of-information requests. We say, good for you, and now we're going to fix those problems.

The agencies, the boards and the commissions were set up to be at arm's length from the ministers. Being at arm's length, as I said in my previous remarks, doesn't mean that such a body can say, "Well, we can operate as if we were a free-wheeling private sector corporation." You can't. If what you are is an entity charged by the

taxpayers to perform a function or to do a thing, then you're subject to the same constraints that all of us are here in the House, and we on the government side say, "Having shone this light on practices that frankly disturb us in government, we, too, are going to use the powers provided in this legislation to fix the issues that have been brought forward through the actions of the opposition." That's pretty much all this bill is about.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Toby Barrett:** The member from Wellington-Halton Hills made reference to a sorry trail of expenses, expenses that shouldn't have been expensed through the Ontario Lottery and Gaming Corp. We really wonder. I think it was just within the past month that the entire board of governors of the Ontario Lottery and Gaming Corp. resigned, but not one elected member has taken any responsibility for what I consider quite a sorry state of affairs.

1740

It's a state of affairs that goes back at least four years. We recall the independent probe. It was launched by the Ontario Ombudsman, André Marin, and revealed at that time, four years ago, millions of dollars had been paid out and had been acquired and secured by unscrupulous retailers.

The fallout at that time: 23 reforms were recommended, and the chief executive of OLG, Duncan Brown, left with two years' salary as severance, as I recall. He left his post just before that report became public. He was replaced as CEO by Kelly McDougald, the same Kelly McDougald who was just fired by OLG this month. Yet again, not one government minister is without a government job today.

Since that report from André Marin, we now have evidence that the lottery payouts to the insiders, just in the four subsequent years, totalled something like \$198 million. In recent news, a scandal in both Ajax and Brantford with respect to casino projects: about \$30 million there that's in question.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments?

**Mr. Dave Levac:** The member from Wellington-Halton, I think it's now called—

**Mr. Ted Arnott:** Wellington-Halton Hills.

**Mr. Dave Levac:** —Wellington-Halton Hills has kind of done as predicted over the last few times that I've been speaking. Yes, he did come back very vividly and acknowledged the fact that I would probably be listening and hearing the same thing over again and, yes, I am.

So the bottom line here is that they're doing what they're supposed to do in this place, and that is to oppose and to mark up and to try to paint a picture of scandal, and to continue to say, "Bad government; good opposition. Let us be government." That's what you're supposed to do.

Except to say I thought it was rather interesting how he was able to slip in some of the other stuff on a constituent level, which I know that he is known for, to



bring to the attention of this House his projects. That was a pretty good deal, too; I thought that was pretty good.

One of the things I like to point out is that there's another trend on the other side too, and that is, "Too much spending on the government side, but get my project passed." That happens and maybe that's good politics too, so that your local constituency knows that you're asking for that money, but it's going to take an awful lot out of the coffers.

There's probably a tie-in to that, because I think he knows that when his government was over on this side or when they were the government on this side, there was a comment from the opposition, which happened to be us at the time, Her Majesty's loyal opposition, that basically pointed out a \$600-million consultant spending spree that we started to bring to the attention of the government of the day, in the same spots, in some cases—I think one of the members was sitting in the very same seat that he is sitting in—bringing to the attention of the government of the day that spending problem that they had in terms of hiring \$600 million worth of consultants. One of the twists was that they were retiring public staff and then hiring the very same staff back at consulting fees.

We need to get an end to this, and I think that this bill gets us in that position.

**The Acting Speaker (Ms. Cheri DiNovo):** Questions and comments? The member from Wellington–Halton Hills.

**Mr. Ted Arnott:** I want to thank my colleagues the member for Welland, the member for Mississauga–Streetsville, the member for Haldimand–Norfolk and the member for Brant for their comments.

I would say to the member for Welland, I wasn't particularly surprised or disappointed that the PA left before I spoke. I suppose I didn't really anticipate that or concern myself too much about it.

**The Acting Speaker (Ms. Cheri DiNovo):** Again, I would caution the member not to talk about people not present.

**Mr. Peter Kormos:** On a point of order, Mr. Speaker: I'm referring to the McGee Parliamentary Practice in New Zealand, page 189: "It is a convention of the House that members do not refer to the absence of other members from the chamber ... This is not an absolute rule and can be overridden if the fact of absence is of sufficient importance to warrant reference to it. This can occur if there is something intrinsic to the absence that makes it necessary to refer to it."

It is a convention that the minister or parliamentary assistants attend the course of their bill at its debate, so it's entirely appropriate, with all due respect—I use this Parliamentary Practice in New Zealand as an authority—to refer to the failure of the parliamentary assistant to remain in the House.

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you for that insight from the member for Welland. I'll take it under advisement, but I refer again—the Speaker's call is the Speaker's call. My call, as I just made very clear to the member from Wellington–Halton Hills, is

that we shouldn't refer to those who are not in the chamber. That's been the practice of this chamber. Thank you.

**Mr. Ted Arnott:** I wouldn't have wanted to do that, Madam Chair. I was just responding to the member for Welland, and I stand corrected. I should have been upset that the parliamentary assistant apparently may or may not have left the chamber, I gather, based on the New Zealand precedent, so I appreciate his drawing that to my attention.

But I would quickly say to the member for Brant, who criticized the former government, and I would suggest to him that our government wasn't perfect and the people rendered their judgment and their verdict, and the people will render their judgment and verdict again in 2011. The fact is that your government, upon taking office—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. Further debate? The member from Sarnia–Lambton.

**Mr. Ted Arnott:** —almost immediately after—

**The Acting Speaker (Ms. Cheri DiNovo):** Thank you. I'd ask the member to be seated. The member from Sarnia–Lambton.

**Mr. Robert Bailey:** It's been an interesting afternoon here. I'm pleased to rise and participate in today's debate as well on Bill 201, the Public Sector Expenses Review Act, 2009. I too, to paraphrase the immortal Bard, come here not to praise this bill but rather to expose its weaknesses and shortcomings. I will attempt to point out some of the rather large areas of concern that I have with this bill and that I know many members on this side of the House share. I think, as debate has progressed, we have seen some very glaring inconsistencies in this bill.

First of all, the stated goal of the bill is "to enable the Integrity Commissioner to review the expense claims of certain persons who are employed in or appointed to public entities." On the face of it, that seems like a very noble goal, but I can't help but think that this will in practice turn out to be an unmitigated disaster. The Office of the Integrity Commissioner, as some others have pointed out, has about nine employees. If this bill passes, they will now be responsible for approving possibly up to 80,000 expenses a year. The only way that they are going to be able to do this is if the government decides to throw a lot of money at the Integrity Commissioner's office so that they can staff up to meet this need. Has the Integrity Commissioner even been asked if he knows how much staff he will require for this newfound mandate from the government? If they don't staff up, and with qualified people, the system will very quickly grind to a halt. Just think about it: If each employee put in one expense claim a month, that would just about mean a million expense claims a year in that nine-person office.

I think what we will find once this process starts is that most employees know what can and can't be expensed but will still have delays in getting their expenses processed. I know that everyone in this House has the highest regard for the Integrity Commissioner's work and the work that they do in that office. I would imagine



almost everyone here has consulted with them in the past, and they handle our requests professionally and expeditiously. I just believe we are asking them to do the impossible.

Of course, as the member for Durham pointed out last week, I'm also unclear as to why they need an arm's-length agency to review and approve expenses in the first place. There's a long tradition in this House, and other parliamentary governments, of ministerial responsibility that is being overlooked here. It should be the minister's responsibility to make sure his or her department and the agencies that report to their department are following the rules for expenses. If the ministers are now not responsible for how their departments spend money, I'm not sure why we have ministers. Doesn't the management board have the ability to make sure that expense policies are being followed? A rhetorical question. The message the government is sending with this bill is that they don't even trust themselves to manage the public finances, so how can taxpayers be expected to trust them to manage the public finances? I just don't believe that you can rely on this government, especially when it comes to integrity.

I worked for a large corporation. We knew the rules for expenses and we followed them. There was nothing unclear about what we could expense and what we couldn't. We followed those rules, and if you tried to expense something that wasn't appropriate, you weren't reimbursed for it. This government shouldn't need an arm's-length agency to make sure that they are following the rules. As we have said time and time again in here, this government has such a culture of entitlement that it feels it needs outside supervision—daycare, in other words.

Of course, maybe their plan is the same as their plan to have that outside auditor review the eHealth scandal. Members of this House will remember, and I hope the television audience watching today and tonight will remember, that the Premier announced with great gusto and fanfare in this House that PricewaterhouseCoopers was going to do an investigation. Unfortunately, and after the House rose a few weeks later, the Premier had to announce that PricewaterhouseCoopers's investigation wasn't going to proceed after all because it wasn't really needed. Maybe that's the plan for this bill.

1750

I would be curious to know if the government has sought the opinion of the Integrity Commissioner—to get the plan from them on how they are going to manage these new responsibilities. I can understand why the government wants to move quickly on this bill. If I had had a summer of scandal like they had, I would want to turn the page quickly, too.

I think it's worth reminding people just how we got here in this place. First it was the eHealth scandal; everyone will remember eHealth. At eHealth it seemed to have been the norm to issue single-source, untendered contracts; contracts that, as luck would have it, seemed to go to their Liberal friends. Literally millions of tax-

payers' dollars went out the door in this fashion. Once the consultants were hired, they started billing—and did they know how to bill. They took Billing 101. After getting paid \$2,700 a day, they were also expensing coffee and muffins. Billing for expenses seemed to be their *raison d'être*. I would like to ask anyone out there if they would please contact my office if they're receiving \$2,700 a day or if they know anybody in their circle of friends who is. Well, the government stepped in and let a group of people go and thought the issue had gone away. Now I understand that some individuals are suing the government for wrongful dismissal.

We also can't forget the case of the \$25,000 speech. At least that's what it cost when it started. That was before the consultants reviewed it and offered their opinions on it. I would agree with the member for Durham and other members in this House when they stated that the CEO was earning over \$400,000 a year, so why couldn't that individual write their own speech? You would think for that kind of money they might have had something to write about.

Of course following the eHealth scandal, there was the OLG scandal. This is just further proof that you can't trust some people when it comes to managing these types of institutions. At OLG, we found out that the government acted to fire people, mainly, it seems, because they didn't agree to fire other people below them. Allegedly, the former CEO maintains that she was asked to find a scapegoat, and when she wouldn't do that, then the minister threw her under the bus. I can only imagine how interesting that lawsuit pending against the government for their actions at the OLG will be to watch. I wonder how much that is going to cost and what other issues will come out at that time.

Last week, the member for Parry Sound—Muskoka said that this government's only plan for job creation is to hire more integrity officers to investigate Liberal scandals. I guess we should be thankful that they at least have a plan to increase employment. It would be reassuring if it weren't just written on the back of a napkin, though.

Ultimately, we support the intent of the bill. No one is against accountability, but we believe they don't need another layer of bureaucracy just to know whether or not employees of the government are following the rules. We do have concerns that even with this bill nothing will stop the government from not following the rules. Bill 201 doesn't actually say that the government has to follow the advice of the Integrity Commissioner. I would hope that if you go to the trouble of asking someone to review your expense claims, that you would at that point then follow their advice. But that's not altogether clear.

This is a government that has a hard time following an Integrity Commissioner's advice. As a matter of fact, the same minister who introduced this bill was himself found to be contravening the Members' Integrity Act a number of years ago and was censured by the commissioner at that time. I believe, and I stand to be corrected, that he was the first minister in the history of Ontario to be found in contravention of this act, and he still sits here today as



a minister of this government, heralding a new era of accountability in government. That's why members of this House, and I'm sure the public at large, are a little suspicious of this act and the accountability that they have praised.

A number of agencies will be added to this. The new rules will apply to the Ontario Lottery and Gaming Corp., the OPG, Hydro One, the Independent Electricity System Operator, the Ontario Power Authority, the WSIB, the LCBO, eHealth, Cancer Care Ontario, the Ontario Infrastructure Projects Corp. and the Ontario Energy Board, to name a myriad of boards and commissions. One of the members on the government side said that when they were elected to government they noticed that the agencies, boards and commissions needed some changing. Well, I remind the individual that those people that have failed them and have come under scrutiny are

their own appointees. Maybe they should have left the members of the commissions that were there formerly because they seemed to be doing their job at the time.

I see I have less than a few seconds. In closing, I don't understand why the Premier doesn't just follow the old adage of Harry S. Truman: The buck stops here. Apparently with this Premier and government, the buck stops somewhere else. From the stories so far, it seems to be in a lot of lobbyists' pockets. I'll close my remarks with that.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Ms. Cheri DiNovo):** It being almost 6 o'clock, I declare that this House stands adjourned until tomorrow morning at 9 a.m.

*The House adjourned at 1755.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
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Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
Broten, Laurel C. (LIB)	Etobicoke–Lakeshore	
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
<b>Cansfield, Hon. / L'hon. Donna H. (LIB)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture
		Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
<b>Crozier, Bruce (LIB)</b>	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée
		Deputy Speaker / Vice-président
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Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
<b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
		Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement
		Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Flynn, Kevin Daniel (LIB)	Oakville	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	
McNeely, Phil (LIB)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
<b>Munro, Julia (PC)</b>	York–Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres
		Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme
		Government House Leader / Leader parlementaire du gouvernement
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre
		Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
		First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth–Wellington	Minister of Revenue / Ministre du Revenu
<b>Wilson, Jim (PC)</b>	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	
Vacant	St. Paul's	



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Jim Brownell, Kim Craitor  
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Bob Delaney, Joe Dickson  
Rick Johnson, Sylvia Jones  
Norm Miller, Khalil Ramal  
Peter Tabuns  
Committee Clerk / Greffière: Tonia Grannum

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Phil McNeely, Jerry J. Ouellette  
David Ramsay, Liz Sandals  
Norman W. Sterling, Maria Van Bommel  
David Zimmer  
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Paul Miller, Bill Murdoch  
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Cheri DiNovo, Linda Jeffrey  
Sylvia Jones, Jean-Marc Lalonde  
Carol Mitchell, Shafiq Qaadri  
Elizabeth Witmer  
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Bas Balkissoon, Christine Elliott  
Kevin Daniel Flynn, France Gélinas  
Helena Jaczek, Sylvia Jones  
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